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R E P O R T.

HABITUAL DRUNKARDS.

*Ordered, by The House of Commons, to be Printed,
13 June 1872.*

[Price 2s. 6d.]

R E P O R T

FROM THE

SELECT COMMITTEE

ON

HABITUAL DRUNKARDS;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, to be Printed,
13 June 1872.

Ordered, THAT a Select Committee be appointed to consider the best Plan for the Control and Management of Habitual Drunkards.

Committee nominated of—

Mr. Miller.
Mr. Downing.
Major Walker.
Mr. Winterbotham.
Mr. Clare Read.
Colonel Brise.
Mr. Donald Dalrymple.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Friday, 8th March 1872.

Ordered, THAT Mr. *Winterbotham* be discharged from further attendance on the Committee.

Ordered, THAT Mr. *William Henry Gladstone* be added to the Committee.

Thursday, 13th June 1872.

Ordered, THAT the Committee have power to report their Observations, together with the Minutes of Evidence taken before them, to The House.

[illegible]

R E P O R T.

THE SELECT COMMITTEE appointed to inquire into the best Plan for the Control and Management of HABITUAL DRUNKARDS ;—HAVE considered the Matters to them referred, and have agreed to the following REPORT :—

THAT there is entire concurrence of all the witnesses in the absolute inadequacy of existing laws to check drunkenness, whether casual or constant ; rendering it desirable that fresh legislation on the subject should take place, and that the laws should be made more simple, uniform, and stringent.

This is the more requisite, as there is much evidence to show that in large towns and populous districts, the great evil of drunkenness is on the increase, attributed in some measure to the higher wages and shortened hours of labour. This does not appear to be equally true of agricultural districts and populations.

That small fines and short imprisonments are proved to be useless, as well by the testimony of competent witnesses, as by the fact that the same individual is convicted over and over again, to even more than 100 times.

That drunkenness is the prolific parent of crime, disease, and poverty, has received much additional confirmation. It is in evidence that a large proportion of the criminals passing through our gaols attributed their fall to drink, one witness having stated the amount as equal to 75 per cent. in a particular gaol ; about 20 per cent. of the insanity recorded in Great Britain, and about 14 per cent. in the United States of America, are placed to the same cause ; and nearly one-half of the idiots in the latter country are stated to be the offspring of intemperate parents.

That occasional drunkenness may, and very frequently does, become confirmed and habitual, and soon passes into the condition of a disease uncontrollable by the individual, unless indeed some extraneous influence, either punitive or curative, is brought into play.

That self-control is suspended or annihilated ; moral obligations are disregarded ; the decencies of private and the duties of public life are alike set at nought ; and individuals obey only an overwhelming craving for stimulant to which everything is sacrificed.

That this is confined to no class, condition, or sex, and hardly to any age.

That the moderate use of alcoholic liquors is unattended by any bad effects, while there is much to prove that excess in ardent spirits is far more deleterious than similar excess in wine or beer. There are also strong reasons for believing that some considerable amount of helpless drunkenness and frenzied intoxication is due to adulteration, or to the use of new spirits containing substances of the nature of ethers.

That it is in evidence that there is a very large amount of drunkenness among all classes and both sexes, which never becomes public, or is dealt with by the authorities, but which is probably even a more fertile source of misery, poverty, and degradation than that which comes before the police courts ; for this no legal remedy exists, and without further legislation it must go on unchecked. Legislation in such cases was strongly advocated by all the witnesses before the Committee.

That the absence of all power to check the downward course of a drunkard, and the urgent necessity of providing it, has been dwelt upon by nearly every witness ; and the legal control of an habitual inebriate, either in a reformatory or in a private dwelling, is recommended, in the belief that many cases of death resulting from intoxication, including suicides and homicides, may thus be prevented.

That this power is obtained easily, at moderate cost, and free from the danger of abuse and undue infringement of personal liberty, has been stated in evidence, by quotations from American and Canadian Statutes (Question 2620) as well as by the witnesses from America.

That though the habit of frequent or prolonged intoxication leads in the end to insanity, yet there is a difference between the paroxysm of intoxication and insanity proper, so distinct as to forbid the plea, in bar of punishment, that an offence was committed while drunk ; still placing inebriates in lunatic asylums (except for a very brief period, *e. g.*, during a paroxysm of delirium tremens) is improper, and should not be allowed. The presence of recovering inebriates in an ordinary hospital for the insane is prejudicial to the other inmates in various important particulars, while the discipline and diet needed for the insane is unsuitable for the convalescing inebriate.

That the question of providing more efficient laws against initial or casual drunkenness arises so naturally out of this inquiry that suggestions to remedy the avowed inadequacy of the law are here offered.

That the fine of 5 s. imposed by the 4th and 21st of James I. was a much heavier fine at the time it was enacted than it is now, and it might be expedient to raise it to a sum not exceeding 40 s. The fine should be recorded against the individual in a Drunkards Register, and be made progressive ; and to the fine should be added the costs often incurred by the police or the public in conveying the offender to the station. This should apply to cases of common street drunkenness usually classed as "drunk and incapable."

That after three convictions within twelve months, the magistrates should be empowered to require the offender to find a surety or sureties for sobriety and good conduct for a fixed period, and in default of the same, or in case the surety is forfeited by a fresh offence, then to sentence the offender to a considerable period of detention in an industrial reformatory for inebriates as hereafter recommended. The system of sureties has been applied with excellent results in Sheffield ; and though it appears practicable under the common law, it would be well to repeal the old statutes and enact new.

There is good reason for believing that such a measure would not only have much restrictive influence on the drunkard, but would bring the efforts of relatives and friends, and especially of the surety, into active exercise.

That all fines and convictions should be registered and recorded in the Drunkards Register, and the Court of Petty Sessions should have the power of estreating the recognisances when forfeited, without being obliged to resort to the present slow and expensive mode of recovery.

That when an offender has been called upon to find sureties, and has been unable to do so, or when by a fresh offence he has forfeited them, or when he has been called upon a second time to find sureties, he should be deemed and registered as an "Habitual Drunkard," and as such may be sent to an industrial inebriate reformatory by magistrate's order for a term of not less than three nor more than twelve months, the time to be governed by the frequency of the offence.

That when acts of violence or other offences are superadded to the drunkenness the ordinary punishment awarded by law to those offences should be carried out, and if the offender comes under the definition of an habitual drunkard, a committal to a reformatory may form part of the sentence, or it may be left to the discretion of the magistrate to send him at once to an inebriate reformatory.

That it is in evidence as well from those who have conducted and are still conducting reformatories for inebriates in Great Britain, as by those who are managers of similar institutions in America, that sanatoria, or inebriate reformatories

atories are producing considerable good in effecting amendment and cures in those who have been treated in them.

The average number of cures is stated to be from 33 to 40 per cent. of the admissions, this per-centage being based upon subsequent inquiry, from which the cures appear to be as complete and permanent as in any other form of disease, mental or physical. The average time occupied in effecting these cures is stated at from 12 to 16 weeks in America. For the English institutions the period has been longer.

That the proportion of cures is not larger is attributed by all the witnesses to a lack of power to induce or to compel the patient to submit to treatment for a longer period, and that power is asked for by every one who has had, or still has, charge of these institutions. Without such a power it appears that the results must be imperfect, disappointing, and inadequate to the efforts made.

RECOMMENDATIONS.

The Recommendations of the Committee are :

1. Definition.—That sanatoria or reformatories for those who, “notwithstanding the plainest considerations of health, interest, and duty are given over to habits of intemperance so as to render them unable to control themselves, and incapable of managing their own affairs, or such as to render them in any way dangerous to themselves or others,” should be provided.

2. These should be divided into Classes A. and B.

A. For those who are able out of their own resources, or out of those of their relations, to pay for the cost of their residence therein. These, whether promoted by private enterprise or by associations, can be profitably and successfully conducted.

B. For those who are unable to contribute or only partially. These must be established by State or local authorities, and at first at their cost, though there is good reason to believe that they can be made wholly or partially self-supporting.

The admission to these institutions should be either voluntary or by commitment. In either case the persons entering should not be allowed to leave except under conditions to be laid down, and the power to prevent their leaving should be by law conferred on the manager. Though practically this power would be seldom put in force, it will be useless to establish these institutions without it.

The patients under Class A. should be admitted either by their own act, or, on the application of their friends or relatives, under proper legal restrictions, or by the decision of a local court of inquiry, established under proper safeguards, before which, on the application of a near relative or guardian, or a parish or other local authority, or other authorised persons, proof shall be given that the party cited is unable to control himself, and incapable of managing his affairs, or that his habits are such as to render him dangerous to himself or others; that this arises from the abuse of alcoholic drinks or sedatives; and he is therefore to be deemed an habitual drunkard.

If that proof be deemed sufficient by the court of inquiry it shall make an order for commitment to an inebriate institution for such a term as it shall think proper, not exceeding twelve months, and shall also have power, with or without such commitment, to make an order for the appointment of a guardian or trustee of the cited party, person, and estate. The party cited shall have the right to be present, both in person and by counsel, and all the evidence shall be taken on oath. The property of the party shall be liable for maintenance; the trustee or guardian shall be liable as in committees of the person and estate of lunatics, Act 25 & 26 Vict. c. 86.

Persons convicted as habitual drunkards according to the definition laid down in the 18th paragraph of this Report, whose means are inadequate, may be sent by magistrates by commitment to the B. class of reformatories.

The period of detention should be fixed by the court of inquiry, or by the magistrates, but may be curtailed upon sufficient proof being given that a

cure of the patient has taken place. No manager of a reformatory, or guardian, or trustee or committee, shall be liable to action for damages for acting under the orders of the court of inquiry, or of the magistrates.

These reformatories, whether of Class A or B, should be inspected from time to time by a committee appointed by magistrates at quarter sessions, of not less than five persons, of whom one at least shall be a medical man, and the inspection of these institutions, whether of a private or public character, should be of a very stringent nature.

Reformatories on the industrial system should be established, either as separate institutions or as part of a prison, but distinct from the ordinary penal portion thereof, or as part of a union workhouse, to which persons committed as habitual drunkards should be sent.

The proceeds of their labour should be applied to the payment of the entire cost of maintenance while in the reformatory; if any excess remain, it should be applied to the maintenance of the wife and family, or if they be in receipt of parochial relief, then to reimburse the union fund, or if there be no wife or family or parochial charge, then to the uses of the individual on leaving the reformatory.

Your Committee, after considering the whole question as to the best mode of dealing with drunkards, including not only the management of inebriate asylums, but also the control and prevention of the habit of drunkenness, have arrived at the following additional conclusions and recommendations:—

That the fine for drunkenness for the first or second offence [when it is most desirable to prevent the formation of the *habit*] should not exceed 40s., or in default thereof, imprisonment for a period not exceeding 30 days [being for the same term as that imposed in the United States]; the precise amount of both fine and imprisonment being left to the discretion of the sitting magistrate; and that, after the third conviction within 12 months, the magistrate should have the power of insisting upon sureties, not exceeding 10 *l.*, as under the statute of James I.

That there be a ready mode of estreating sureties at petty sessions, and that courts of petty sessions be courts of record, at least for cases of drunkenness or offences against the licensing laws.

The Committee have good grounds for recommending the application of the same provisions concerning habitual drunkards to the sellers of liquor, under the Habitual Criminals Act, and they recommend that the provisions contained in the 10th clause of that Act with reference to thieves or reputed thieves, shall in future be applied to habitual drunkards.

This will be facilitated by the keeping of a Drunkards Register, and the preparation of a police notice, to be obtained at the police station, and served on the liquor-seller by the relatives of the drunkard, or by order of the magistrate, will facilitate this.

That watchful inspection over the purity of the article sold is required.

That in order accurately to test the increase or decrease of drunkenness, on which legislation must greatly depend, a uniformity of dealing with, and recording every case of drunkenness that comes into the hands of the police, should be adopted.

In pursuing the investigation of this subject of national importance, your Committee desire to acknowledge the valuable aid afforded by their Chairman.

After withdrawing his Bill of last Session for dealing with Habitual Drunkards, and after moving at a later period for the appointment of a Select Committee, he personally undertook during the recess a special voyage to the United States for the purpose of inquiring practically into the conduct of inebriate asylums there, and of acquainting himself with their beneficial effects. He has volunteered his evidence to the Committee, giving the result of his examination and experience.

From

From his evidence it appears that he visited eight institutions of this character in the United States, leaving only one unvisited at St. Francisco; he also visited one in Canada. All of these are regulated by Charter, or by some act of incorporation, and are managed by committees. They comprise all that exist as wholly public or as partly private inebriate asylums on the American continent; and all except two received contributions and support from the State. Nevertheless, they *originated* either with societies or individuals actuated by philanthropic motives, and are partly maintained by them.

13 *June* 1872.

PROCEEDINGS OF THE COMMITTEE.

Thursday, 29th February 1872.

MEMBERS PRESENT :

Mr. Donald Dalrymple. Mr. Miller. Mr. Downing. Colonel Brise. Major Walker. Sir Harcourt Johnstone.		Mr. Wharton. Mr. Birley. Mr. Akroyd. Dr. Lyon Playfair. Mr. Henry Samuelson.
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Mr. DONALD DALRYMPLE was called to the Chair.

The Committee deliberated.

[Adjourned till Friday the 8th of March, at One o'clock.]

Friday, 8th March 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Mr. Downing. Major Walker. Lord Claud John Hamilton. Colonel Brise. Mr. Miller.		Mr. Wharton. Mr. Akroyd. Dr. Lyon Playfair. Mr. Mitchell Henry. Sir Harcourt Johnstone.
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Mr. *William Smith*, Mr. *Henry Webster*, Mr. *William Smith*, and Dr. *Boyd*, were severally examined.

[Adjourned till Tuesday next, at One o'clock.]

Tuesday, 12th March 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Mr. Miller. Mr. Akroyd. Mr. Read. Major Walker. Mr. Henry Samuelson.		Colonel Brise. Mr. William Henry Gladstone. Mr. Wharton. Lord Claud John Hamilton. Sir Harcourt Johnstone.
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Mr. *William White*, Dr. *John Crichton Browne*, and Dr. *Francis Edmund Anstie*, were severally examined.

[Adjourned till Friday next, at One o'clock.]

Friday, 15th March 1872.

MEMBERS PRESENT:

Mr. DONALD DALRYMPLE in the Chair.

Mr. Akroyd.	Major Walker.
Mr. Wharton.	Dr. Lyon Playfair.
Mr. Miller.	Mr. William Henry Gladstone.
Mr. Clare Read.	Mr. Henry Samuelson.
Colonel Brise.	Lord Claud John Hamilton.
Sir Harcourt Johnstone.	Mr. Birley.

Mr. *David S. Rae*, Mr. *George W. Mould*, and Dr. *Charles Robert Bree*, were severally examined.

[Adjourned till Tuesday next, at One o'clock.]

Tuesday, 19th March 1872.

MEMBERS PRESENT:

Mr. DONALD DALRYMPLE in the Chair.

Mr. Akroyd.	Mr. Wharton.
Mr. Miller.	Dr. Lyon Playfair.
Colonel Brise.	Mr. Clare Read.
Major Walker.	Mr. William Henry Gladstone.
Sir Harcourt Johnstone.	

Dr. *Alexander Peddie* and Dr. *John Nugent* were severally examined.

[Adjourned till Friday, April 12th, at One o'clock.]

Friday, 12th April 1872.

MEMBERS PRESENT:

Mr. DONALD DALRYMPLE in the Chair.

Major Walker.	Mr. Akroyd.
Sir Harcourt Johnstone.	Mr. Mitchell Henry.
Mr. Henry Samuelson.	Mr. William Henry Gladstone.
Mr. Miller.	Mr. Birley.

Dr. *Arthur Mitchell*, Dr. *Forbes Winslow*, and Mr. *Balfour Browne* were severally examined.

[Adjourned till Tuesday next, at One o'clock.]

Tuesday, 16th April 1872.

MEMBERS PRESENT:

Dr. LYON PLAYFAIR in the Chair.

Mr. Donald Dalrymple.	Mr. Miller.
Dr. Lyon Playfair.	Mr. Mitchell Henry.
Major Walker.	Mr. Downing.
Colonel Brise.	Mr. Clare Read.
Mr. Birley.	Lord Claud John Hamilton.
Mr. Akroyd.	

Mr. *Donald Dalrymple*, Chairman of the Committee, examined.

[Adjourned till Friday next, at One o'clock.]

Friday, 19th April 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Mr. Miller.	Mr. Clare Read.
Mr. Mitchell Henry.	Colonel Brise.
Mr. William Henry Gladstone.	Mr. Henry Samuelson.
Mr. Downing.	Major Walker.
Mr. Akroyd.	Mr. Birley.

Mr. *James Edward Davis*, Captain *Duncan McNeill*, and Mr. *John Jackson*, were severally examined.

[Adjourned till Tuesday next, at One o'clock.]

Tuesday, 23rd April 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Major Walker.	Sir Harcourt Johnstone.
Mr. Miller.	Mr. William Henry Gladstone.
Mr. Clare Read.	Mr. Henry Samuelson.
Mr. Mitchell Henry.	Lord Claud John Hamilton.

Dr. *McGill*, Dr. *Curistie*, and Mr. *Henry Dixon* were severally examined.

[Adjourned till Friday next, at One o'clock.]

Friday, 26th April 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Colonel Brise.	Mr. Birley.
Mr. Miller.	Mr. Clare Read.
Mr. Mitchell Henry.	Dr. Lyon Playfair.

Major *Greig* and Mr. *Lamplugh Fawcett* were severally examined.

[Adjourned till Tuesday next, at One o'clock.]

Tuesday, 30th April 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Major Walker.	Mr. Henry Samuelson.
Mr. Miller.	Mr. Akroyd.
Mr. Mitchell Henry.	Colonel Brise.
Mr. Clare Read.	Mr. William Henry Gladstone.
Dr. Lyon Playfair.	

Mr. *Thomas P. Nelson*, Mr. *James Wetherill*, and Mr. *John Harman* were severally examined.

[Adjourned till Tuesday next, at One o'clock.]

Friday, 3rd May 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Mr. Miller.
Mr. Mitchell Henry.
Mr. Akroyd.
Mr. Downing.
Sir Harcourt Johnstone.
Dr. Lyon Playfair.

Major Walker.
Mr. Birley.
Lord Claud John Hamilton.
Mr. William Henry Gladstone.
Mr. Clare Read.

Dr. *Joseph Parrish* examined.

[Adjourned till Tuesday next, at One o'clock.

Tuesday, 7th May 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Major Walker.
Mr. Akroyd.
Mr. Miller.
Sir Harcourt Johnstone.
Dr. Lyon Playfair.

Colonel Brise.
Mr. Mitchell Henry.
Mr. Wharton.
Mr. Birley.
Mr. Clare Read.

Dr. *Joseph Parrish* further examined.

Dr. *Daniel George Dodge* examined.

[Adjourned till Friday next, at Twelve o'clock.

Friday, 10th May 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Major Walker.
Mr. Miller.
Mr. Akroyd.

Sir Harcourt Johnstone.
Mr. William Henry Gladstone.
Mr. Downing.

Dr. *Daniel Dodge* and Dr. *Joseph Parrish* were further examined.

Dr. *Robert Druitt* examined.

[Adjourned till Friday 7th June, at One o'clock.

Friday, 7th June 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Sir Harcourt Johnstone.
Mr. Birley.
Mr. Miller.
Mr. Akroyd.
Mr. William Henry Gladstone.
Colonel Brise.

Mr. Mitchell Henry.
Mr. Henry Samuelson.
Dr. Lyon Playfair.
Mr. Wharton.
Major Walker.

DRAFT REPORT proposed by the Chairman, read the first time, as follows:—

“ 1. THAT there is entire concurrence of all the witnesses in the absolute inadequacy of existing laws to check drunkenness, whether casual or constant; rendering it desirable that fresh legislation on the subject should take place, and that the laws should be made more simple, uniform, and stringent.

“ 2. This is the more requisite, as there is much evidence to show that in large towns and populous districts, the great evil of drunkenness is on the increase, attributed to the higher wages and shortened hours of labour, while neither the educational or moral improvement of the people, nor the amelioration in the character of their dwellings, has borne any proportion to these apparent advantages. This does not appear to be equally true of agricultural districts and populations.

“ 3. That small fines and short imprisonments are proved to be useless, as well by the testimony of competent witnesses, as by the fact that the same individual is convicted over and over again, to even more than 100 times.

“ 4. That drunkenness is the prolific parent of crime, disease, and poverty, has received much additional confirmation. It is in evidence that 79 per cent. of the criminals passing through our gaols attributed their fall to drink; 20 per cent. of the insanity recorded in Great Britain, and about 14 per cent. in America, are placed to the same causes; and nearly one-half of the idiots are stated to be the offspring of intemperate parents.

“ 5. That drunkenness, casual or accidental, may, and very frequently does, become confirmed and habitual, and soon passes into the condition of a disease, uncontrollable by the individual, unless, indeed, some extraneous influence, either punitive or curative is brought into play.

“ 6. The volition is suspended or annihilated; moral obligations are disregarded; the decencies of private and the duties of public life are alike set at naught; and individuals obey only an overwhelming craving for stimulus to which everything is sacrificed; a craving for that which to them is a poison, and which, by many who imbibe it is recognised as such.

“ 7. That this condition is confined to no class, condition, or sex, and hardly to any age.

“ 8. That the moderate use of alcoholic liquors is unattended by any bad effects, while there is much to prove that excess in ardent spirits is far more deleterious than similar excess in wine or beer. There are also strong reasons for believing that some considerable amount of helpless drunkenness and frenzied intoxication, is due to adulteration, or to the use of new spirits containing substances of the nature of ethers.

“ 9. That it is in evidence that there is a very large amount of drunkenness among all classes and both sexes, which never becomes public, or calls for the intervention of the authorities, but which is probably even a more fertile source of misery, poverty, and degradation than that which comes before the police courts; for this no legal remedy exists, and without further legislation must go on unchecked. Legislation in this direction was strongly advocated by all the witnesses before the Committee.

“ 10. That the absence of all power to check the downward course of a drunkard, and the urgent necessity of providing it, has been dwelt upon by nearly every witness; and the legal control of an habitual inebriate, either in a reformatory or in a private dwelling, is recommended, in the belief that many cases of death from absolute intoxication (suicides and homicides) may thus be prevented.

“ 11. That this power may be obtained easily, at moderate cost, and free from the danger of abuse and undue infringement of personal liberty, has been shown in evidence, by quotations from American and Canadian Statutes (Question 2620) as well as by witnesses from America.

“ 12. That though the habit of frequent or prolonged intoxication lead in the end to insanity, and though during the paroxysm of intoxication the individual is in fact insane, yet there is a difference between it and insanity proper, so distinct as to forbid the plea, in bar of punishment, that the offence was committed while drunk; while placing inebriates in lunatic asylums (except for a very brief period, *e. g.*, during a paroxysm of delirium tremens) is improper, and should be forbidden. The presence of recovering inebriates in an ordinary hospital for the insane is prejudicial to the other inmates in various important particulars, while the discipline and diet needed for the insane is unsuitable for the convalescing inebriate.

“ 13. That the question of providing more efficient laws against initial or casual drunkenness was not directly included in the instructions to the Committee, but it grew so consequentially out of the inquiry that suggestions to improve the avowed inadequacy are offered here, though falling rather within the scope of licensing and police regulations.

14. That

" 14. That the fine of 5 s. imposed by the 4th and 21st of James I. was a much heavier fine at the time it was enacted than now, and it might be quite right to raise it to 10 s. or 15 s. The fine should be recorded against the individual in a drunkards register and made progressive; and to the fine should be added the costs incurred (as is often the case) by the police or public in conveying the offender to the station. This to apply to common street drunkenness, "Drunk and incapable."

" 15. That after three convictions, the magistrates should be empowered to require a surety or sureties from others for the sobriety and good conduct of the party for a fixed period, and in default of the same, or in case the surety is forfeited by a fresh offence, then to sentence the party to a considerable period of detention in an industrial reformatory for inebriates. This has been done with excellent results in Sheffield; and though it appears that this can be done under the common law, it would be well to repeal the antiquated statutes and enact new.

" 16. There is good reason for believing that such a measure would not only have much restrictive influence on the drunkard, but bring the efforts of relatives and friends, especially of the surety, into active exercise.

" 17. That all fines and convictions should be registered and recorded in the Drunkards Calendar, and the Court of Petty Session should have the power of estreating the recognisances when forfeited, without being obliged to resort to the present slow and expensive mode of recovery.

" 18. That when a party has been called upon to find surety, and has been unable to find it, or when by a fresh offence he has forfeited it, or when he has been called upon a second time to find surety, he should be deemed and registered as an "Habitual Drunkard," and as such may be sent to an industrial inebriate reformatory by magistrate's order for a term of not less than three nor more than twelve months, the time to be governed by the frequency of the offence.

" 19. That when acts of violence or other offences are superadded to the drunkenness, the ordinary punishment awarded by law to those offences should be carried out, and at the end of the sentence, if the offender comes under the definition of an habitual drunkard, a committal to a reformatory may form part of the sentence, or it may be left to the discretion of the magistrate to send him at once to the inebriate reformatory.

" 20. That it is in evidence, as well from those who have conducted and are still conducting reformatories for inebriates in Great Britain, as by those who are managers of similar institutions in America, that sanatoria, or inebriate reformatories are producing considerable good in effecting cures and amendment in those who have been treated in them.

" The average number of cures is from 33 to 40 per cent, of the admissions; this percentage may be relied on, the cures being ascertained by subsequent inquiry to be as complete and permanent as in any other form of disease, mental or physical. The time occupied in effecting these cases is stated at from 12 to 16 weeks. For the English institutions the period has been longer.

" 21. That the proportion of cures is not larger arises (by an entire agreement of all the witnesses) from lack of power to induce or to compel the patient to submit to treatment for a longer period, and that power is asked for by every one who has had, or still has, charge of these institutions. Without such a power the results are and will be imperfect, disappointing, and inadequate to the efforts made.

" RECOMMENDATIONS.

" 22. The recommendations of the Committee are :—

" 1. Definition.—That sanatoria or reformatories for those who, ' notwithstanding the plainest considerations of health, interest, and duty are given over to habits of intemperance so as to render them unable to control themselves, and incapable of managing their own affairs, or such as to render them in any way dangerous to themselves or others,' should be provided.

" 2. These should be divided into Classes A. and B.

" A. For those who are able out of their own resources, or out of those of their relations, to pay for the cost of their residence therein. Those promoted either by private enterprise or by associations can be profitably and successfully conducted.

" B. For those who being unable to contribute, or only partially. These must be established by State or local authorities, and at first at their cost, though there is good reason to believe that they can be made wholly or partially self-supporting.

" 23. The admission to these should be either voluntary or by committal. In both cases the party entering should not be allowed to leave except under conditions to be laid down and the power to prevent their leaving should be by law conferred on the manager. Though,

practically, this power will be seldom put in force, it will be useless to establish these institutions without it.

“ 24. The Class A. patients should be admitted either by their own act (signing a paper), or, what will more often happen, at the urgent solicitation of their friends and relatives, or by the decision of a Council of Interdiction, to be formed as follows :

“ 25. On the application by a near relative, father or mother, husband or wife, brother or sister, uncle or aunt, nephew or niece, or, in certain cases, a creditor or a parish authority, to a magistrate, or magistrates in petty session, he may call to his aid three or five persons, of whom one at least shall be a medical practitioner and one a lawyer, who shall constitute a court of inquiry. Before this council, which may carry on proceedings with open or closed doors as they deem best, proof shall be given that the party cited is unable to control himself, and incapable of managing his affairs, or that his habits are such as to render him dangerous to himself or others; that this arises from the abuse of alcoholic drinks or sedatives; and he is therefore to be deemed an habitual drunkard.

“ If that proof be deemed sufficient to the majority of that council, the magistrate presiding shall make an order for the appointment of a tutor or trustee of the cited party's person and estate, or may commit him to an inebriate institution for such a term as he may deem proper, not exceeding The party cited shall have the right to be present, both in person and by counsel, and all the evidence shall be taken on oath. The property of the party to be liable for maintenance; the trustee or tutor to be liable as in committees of the person and estate of lunatics, Act 25 & 26 Vict. c. 86.

“ 26. B. To the class of reformatory persons whose means are inadequate wholly or in part may be sent by magistrates making inquiry that they come under the definition of an habitual drunkard, or that they have become so according to the rule laid down in Section 18.

“ 27. The period of detention should be fixed by the magistrate, but may be enlarged or curtailed upon sufficient proof rendered that it is desirable. Power of appeal to quarter sessions, or to sue out a writ of Habeas Corpus. No manager or committee to be liable to action for damages for acting under the orders of Council of Interdiction.

“ 28. These reformatories, whether of Class A or B, should be inspected from time to time by a committee appointed by magistrates at quarter sessions, of not less than persons, of whom one at least shall be a medical man.

“ 29. Reformatories on the industrial system should be established either as separate institutions, or as part of a prison, or as part of a union workhouse, to which persons registered as habitual drunkards should be sent.

“ The proceeds of their labour should be applied to the payment of the entire cost of maintenance while in the reformatory; if any excess remain, it should be applied to the maintenance of the wife and family, or if they be in receipt of parochial relief, then to reimburse the union fund, or if there be no wife or family or parochial charge, then to the uses of the individual on leaving the reformatory.

“ 30. The inspection of institutions destined to receive inebriates, whether of a private or public character, should be of a very stringent nature. Whether this had better be carried out by special inspectors appointed by magistrates, and varying from time to time, or whether it should be effected by the Lunacy Commissioners, is a debatable question, but the balance of testimony is in favour of disconnecting these institutions entirely from lunacy, and it is undesirable to lay fresh burdens on the existing inspectors.

“ COLLATERAL RECOMMENDATIONS.

“ 31. The Committee have good grounds for recommending the application to the sellers of liquor the same provisions concerning habitual drunkards as now exists under the Habitual Criminals Act.

“ 32. The keeping of a drunkard's register, and the preparation of a police notice, to be obtained at the police station, and served on the liquor-seller by the relatives of the drunkard, or by order of the magistrate, will facilitate this.

“ 33. That watchful inspection over the purity of the article sold is required.

“ 34. That in order accurately to test the rise or fall of drunkenness, on which legislation must greatly depend, a uniformity of dealing with, and recording every case of drunkenness that comes into the hands of the police, should be adopted.”

DRAFT REPORT proposed by Mr. Akroyd, read the first time, as follows :—

“ 1. In pursuing the investigation of this subject of national importance, your Committee desire to acknowledge the valuable aid afforded by the Chairman.

“ 2. After

"2. After withdrawing his Bill of last Session for dealing with Habitual Drunkards, and after moving at a later period for the appointment of a Select Committee, he personally undertook during the recess a special voyage to the United States for the purpose of inquiring practically into the conduct of inebriate asylums there, and of acquainting himself with their beneficial effects. He has volunteered his evidence to the Committee, giving the result of his examination and experience.

"3. From his evidence it appears that he visited eight institutions of this character in the United States, leaving only one unvisited at St. Francisco; he also visited one in Canada. All of these are regulated by Charter, or by some act of incorporation, and are managed by committees. They comprise all that exist as wholly public or as partly private inebriate asylums on the American continent; and all except two received contributions and support from the State. Nevertheless, they *originated* either with societies or individuals actuated by philanthropic motives, and are partly maintained by them.

"4. In several respects the visit of Mr. Dalrymple was well timed. Public attention in the United States had been directed to the subject by a recently formed 'American Association for the cure of Inebriates,' of which the medical presidents and superintendents of most of the existing asylums are members; and the second annual meeting of the society was held in New York, in November last, when he had hoped to be present. Although obliged to leave before the meeting of the association, he addressed a communication to the president, which was duly read, and entered on the minutes. In this letter Mr. Dalrymple presented three questions for the consideration of the association and invited definite replies.

"5. As these questions and answers are of considerable importance in their bearing upon future legislation upon this subject, your Committee consider it desirable to state them at length:—

"1st. It is desirable to give legal power to detain those who have entered an inebriate institution longer than they are willing to stay, *sua sponte*?"

"Answer conveyed in a resolution of the Association, 'That it is desirable to give legal power to institutions for inebriates to retain their patients until, in the judgment of the proper officers of these establishments, such patients are restored to health.'

"2nd. Whether it is desirable that those who enter an institution voluntarily, or by the advice and persuasion of relatives and friends, should be placed in the same place as those who are sent there by legal enactment or judicial authority?"

"Answer. 'Resolved, That it is desirable that patients who enter such institutions voluntarily, or by the advice or persuasion of friends, should be treated in the same manner as those who are admitted by legal enactment or judicial authority.'

"3rd. Whether inebriates should ever be admitted into a lunatic asylum, or hospital properly so called, or if admitted while in a maniacal condition, should be allowed to remain when that stage is over?"

"Answer. 'Resolved, That inebriates should *not* be received into lunatic asylums for treatment, but if admitted temporarily in a state of mania, they should be immediately discharged after this condition has subsided, and removed to an inebriate asylum.'

"6. It may be here observed in reference to the second question, that it refers rather to classification of patients than to their treatment, and the purport was to ascertain whether voluntary and committed patients were placed in the same category. The answer merely recommends that the *treatment* should be the same in both cases. Fuller information on this point was afterwards obtained from the Superintendent of New York State Inebriate Asylum at Binghamton, Dr. Dodge. He states that at Binghamton they are seldom without committed patients, and that in 1871 they had three or four out of the total number of 71, but that 'this fact is kept from the knowledge of the other patients,' which may account for the circumstance that no complaint has ever been made by the voluntary inmates. Evidence to the same effect is given by Dr. Parrish. The committed patients would probably be of a similar class to the inmates of our County Lunatic Asylums, who do not naturally assimilate to those in private retreats, supported from private means.

"7. In the concluding part of Mr. Dalrymple's letter he made the earnest request, that a delegation of at least two of the most competent and best informed of those who are conversant with those institutions should come to England and give their evidence before the Committee of the House of Commons that will meet early in the Session of next year.' This request he strengthened by an appeal to the president and members of the association, alleging 'that such an act would be of the greatest service to the cause,' and that he could 'hardly imagine anything outside the debateable land of politics which would more tend to promote harmony among earnest thinking men of both nations than such a proceeding.'

"8. On the request of the association, the then President, Dr. Parker, nominated Joseph Parrish, M.D., and D. G. Dodge, M.D., as delegates to give evidence before the Select Committee of the British House of Commons, and their nomination was duly ratified and confirmed. As a proof of the practical skill and experience of these gentlemen in the treatment of inebriates, and of the estimation in which they are held by the association, it will suffice to state that Dr. Parrish is President of Pennsylvania Sanatorium, Media, near Philadelphia, and that at the last annual meeting he was appointed president of the association in the place of the retiring president, Dr. Parker; whilst his colleague, Dr. Dodge, President of the New York State Asylum, was at the same time appointed secretary to the association.

The clearness and ability with which these gentlemen gave their most important evidence before your Committee, fully justify their appointment as delegates. They were not only able to speak from their own knowledge of the treatment of inebriates in asylums, and the ultimate results, but they also furnished trustworthy information of the different State laws for dealing with drunkards, and suppressing drunkenness.

" 9. I may be desirable here to summarise the information received from these various sources respecting the American institutions. Of the nine visited by Mr. Dalrymple, 'the grand total of admissions since their opening was 5,959; of whom 1,305, or nearly 23 per cent., were re-admitted once; 227, or nearly 4 per cent., were re-admitted twice; and 97, or nearly 2 per cent., were re-admitted thrice. Of such admissions, 5,515, or about 94 per cent., were voluntary; 144, or between 2 and 3 per cent., were admitted by the intervention of friends; and 214, or nearly 4 per cent., were committed by justices; the results being that of the 5,959 who have been or were so under treatment, 2,018, or nearly 4 per cent., were cured and discharged; 318, or over 5 per cent., received benefit; 11, or considerably less than a quarter per cent., died; 3 became insane, and 378, or between 6 and 7 per cent., were returned as incurable. The average number of years that those institutions have been in operation is five years and 26 days, the longest period being that of the Washington House at Boston, which has been at work 14 years; and the shortest period that of Baltimore Asylum in Maryland, having been at work only four months.'

" 10. In speaking of the number of patients who were discharged, amounting in this summary to 34 per cent., or fully one-third of the whole, it seems not easy to determine what constitutes a cure. The difficulty is so clearly stated by Dr. Parrish, that your Committee quote his words. 'I suppose that in the treatment of an ordinary disease, a cure is considered to be accomplished when the disease for which a man is treated has been so far removed that he can go out and attend to his business. He may have a recurrence of the attack and again be cured, but in that sense the popular mind has not been disposed to look upon this disease: and though I believe it would be perfectly legitimate to call a man cured of drunkenness when he has got over his attack, I have thought it better to accommodate to some extent the popular opinion, and not consider a man cured until we think him *permanently* cured, though there is no such thing as a permanent cure of anything. We have only called those men cured who have been followed up for a considerable time after their removal, and have still maintained their sobriety and integrity.' The total number of cases returned cured from the Sanatorium of Media under the charge of Dr. Parrish is 82 out of 235 patients admitted. In the same return of cases at Media, 63 are pronounced *incurable*, and with regard to this class of incurables the same witness remarks, 'I believe that many of these men could be thoroughly cured if there was power to retain them for a sufficient length of time.'

" 11. On careful consideration of the evidence respecting the proper period for detention of inebriates in asylums, your Committee confirms the answer conveyed by the American association to the question of their Chairman, that it is desirable to retain the patients until, in the judgment of the proper officers of these establishments, such patients are restored to health, or in other words, *cured*. It must not be forgotten that the period of detention includes, or should include, a *probationary* period, during which the patient is allowed a degree of experimental liberty, which is gradually increased or promptly withdrawn, as he shows himself fit or unfit to be trusted. Not until he has regained the power of self-control under temptation, and that self-control has been fairly tested, should the patient be considered *cured*, and allowed to go at large. The necessary term of detention may vary with each case. Except in special and rare cases it need not exceed twelve months.

" 12. There is a striking unanimity of sentiment on the part of those concerned in the management of inebriate asylums in America against the reception of inebriates into lunatic asylums, save under a temporary state of mania. Your Committee are of opinion that this objection is well founded, and that if admitted temporarily under an access of delirium tremens, they should be immediately discharged after this condition has subsided.

" 13. Religious services form part of the management of all these institutions. In all visited by Mr. Dalrymple there were prayers both morning and evening. In Binghampton there is a chapel, and a chaplain who reads the service according to the Presbyterian form of worship; as also a choir, and organ conducted by the patients.

" 14. The internal management and economy of the asylums is usually under the charge and responsibility of one chief superintending physician, aided by an assistant physician. He appoints all the subordinates, regulates their compensation, inaugurates the discipline, and controls the members of the *family*, be they whom they may. The assistant in his absence is his representative, and has full power to conduct the affairs in the same way. The patients, as they come, are received as members of the *family*; the chief officer of the house, however, having his own separate apartments. The assistant physician takes his meals with them, and exercises deputed authority. There is also a lady housekeeper or matron.

" 15. The treatment of the inmates is, in the first instance, *medical*, and afterwards *reformatory*, in its character. Stimulants are used in some cases medicinally, and to 'let the patient down easily,' although they form no part of the dietetic treatment. Besides stimulants, which are the exception, sedative and narcotic remedies are administered at the
outset

outset; after which such tonics are given as are calculated to add tone and strength to the system. In some instances of insatiate craving for alcoholic drinks, this mad thirst seems to be caused by disease of the brain. Such cases are difficult of treatment, and require a long period for recovery. In ordinary cases 'the diseased portion of the mind is chiefly that of the *will*, not of the intellect;' and it is to strengthen and reinvigorate the *will* of the patient that the efforts of the principal and his assistant are directed. For those who have once allowed their self-control to be utterly broken down by confirmed drunkenness, the only safety for the future seems to lie in total abstinence. 'We endeavour to teach the patients, by argument, precept, and example,' says Dr. Dodge, 'that total abstinence is the only safe and sure road to recovery;' that 'self-restraint is a remedial agent from the moment the patient enters the institution, growing stronger and more effective day by day, until finally he finds total abstinence not only possible but permanently successful. These same truths apply equally to the treatment of the *Opium habit*,' which is even 'more deplorable in its consequences than the excessive use of alcoholic stimulants.' Dr. Parrish remarks, 'the principle upon which the institution (at Media) is based, is that a man must have his *self-respect* sustained and cultivated.' 'Very frequently the patients ask to go to Philadelphia, a distance of 12 or 14 miles, which they must do by train. When a man has been sufficiently long, and has given sufficient evidence of his desire and his ability to do right he is allowed to go to Philadelphia, perhaps to a concert or a public meeting, or for mere change. If he returns all right, and has not violated the confidence that has been placed in him, he is allowed to go again in the course of time; in that way *his strength is tested*; if he fails, he is not allowed to go again for a long period.'

"16. With regard to the proper size of these asylums, and the convenient number of inmates under one roof, most available for reformatory influences; there is some difference of opinion betwixt Dr. Parrish and Dr. Dodge on this point. At Media there is accommodation for 20 or 25 patients, and there is no wish to extend the number beyond 50. Dr. Parrish considers it easier to carry on a system of reformation in a *family* grouping than with a larger number, and adds that, as inebriates are men who generally abandon their families, they want family arrangements. Dr. Dodge, on the other hand, who is the head of the New York State Asylum, where there is now room for 80 patients, and where, when completed, there will be accommodation for 200 inmates, naturally prefers a larger institution, and considers that there is greater economy in the management than for a smaller institution. There seems, in fact, to be the same diversity of opinion in the United States on this question as that which prevailed in this country on the first introduction of reformatory schools. The active promoter of these schools, Mr. Barwick Baker, of Gloucester, recommended them to be small, not exceeding about 50 boys, whereas many county magistrates were desirous of forming them on a large scale, like county juvenile prisons. Fortunately the opinion of Mr. Baker prevailed; and he proved a true prophet when he urged that this class of reformatories would strike at the very root of juvenile crime, by getting hold of the ringleaders, and that in a few years there would be a difficulty in filling them. So it proves! Dr. Parrish 'thinks that the advantage of inebriate asylums is much wider and greater than in the mere restoration of individuals who are committed, or who go voluntarily to them. My own impression is, that if they were very numerous and not very large, scattered all through the country, the *deterrent* influence upon inebriates who are outside would be very strong.' 'I think that institutions of this class, properly conducted, with suitable men at the head of them, would be centres of a great deal of information and light. That would go very much to the formation of a proper public sentiment, and modify the estimate which people have of drunkards themselves. As we now are, a drunkard has more to contend with, in his efforts to recover, than any other class of men. He is ostracised by society, he is an offence in his own domestic circle, and to the better social circles he is not admitted. The Church ignores him, the temperance society keeps him only so long as he keeps sober, and he has the entire weight of public odium from all quarters to resist him in his efforts to recover. Institutions that have to deal with these men personally, and to learn their interior life, with all their struggles and temptations, have an opportunity of awakening an interest in the popular mind that will lead to a better sense, and a higher and truer appreciation of the condition of the drunkard, and what he needs.' These remarks are so true and forcible, that your Committee have thought it advisable to embody them in their Report.

"17. The financial position of these institutions is satisfactory; and the usual charge of 20 dollars weekly to voluntary inmates renders them self-supporting. Binghampton was originally founded by an Englishman, who raised about 40,000 dollars by voluntary subscription; but finding himself unable to complete the edifice, he transferred it to the State Legislature of New York, on condition that they would make annual appropriations to finish the undertaking. The necessary funds were raised out of the excise duties. Two years ago the State took possession, and placed it under the same control and management as other charitable institutions; but has made no subsequent grant for its maintenance. The annual report of the New York State Asylum gives the following scale of weekly payments:

30 per cent.	are at the rate of	-	-	-	20 dollars weekly.
25	"	"	-	-	15 "
25	"	"	-	-	5 to 10 "
20	"	are free.			

100

" *Committed* patients sent by the State earn their own living, as a rule.

" On Long Island there is State institution, occupied chiefly by committed patients, who more than pay their cost. Indeed, there is a profit on their labour, and so well does it work, that the State has purchased a tract of land for a new asylum, on a large scale. Of a similar institution, the physician superintendent reports, ' We cure some, improve many, make them useful, industrious people while with us, and *teach them how to earn a living when they leave us.* The gaol merely makes bad worse.'

" 18. There seems to be a growing opinion in the United States against the infliction of fine and imprisonment upon confirmed drunkards. Such a punishment is considered *cruel*, and worse than useless. The question has been raised whether, apart from other considerations, it is wise to commit drunkards to gaols and prisons, where young inebriates consorting with other prisoners may be trained in the high school of crime. It appears that the usual fine for drunkenness is five dollars, of which the committing magistrate retains a portion as his fee, and thus it becomes the pecuniary interest of the magistrate that a fine be inflicted. A movement has been set on foot in Philadelphia to establish, in the different police districts, an inebriate *home*, instead of the ordinary lock-up; and it is proposed that the fine should be paid to the home for its support, instead of to the police magistrate.

" 19. It is right to state that the inmates of the inebriate asylums in sea-port towns on the Atlantic are partly supplied from the old country. Thus in the return from the Rev. J. Willett, Superintendent of the Inebriates' Home, King's County, Long Island, it is stated, as to the place of nativity of the patients, that ' Ireland supplies 62, United States 52, England 19, Scotland 7, British Provinces 4, Germany 1, elsewhere 4; total, 149.'

" 20. The state of New York passed an Act on the 31st March 1865, intituled, ' An Act for the better Regulation and Discipline of the New York State Inebriate Asylum,' which provides as follows :

" ' Sect. 4. Any justice of the Supreme Court, or the county judge of the county in which any inebriate may reside, shall have power to commit such inebriate to the New York State Inebriate Asylum, upon the production and filing of an affidavit or affidavits, by two respectable practising physicians, and two respectable citizens, freeholders of such county, to the effect that such inebriate is lost to self-control, unable from such inebriation to attend to business, or is thereby dangerous to remain at large; but such commitment shall be only until the examination now provided by law shall have been held, and in no case for a longer period than one year.'

" ' The Courts have decided that in order to make such commitments legal, the party proceeded against must have notice of the application for such warrant of commitment.'

" 21. This Act applies only to *committed* patients, but respecting the other non-committed inmates, who are divided into two classes, viz., free patients and paying patients, the following rules and regulations have been passed by the trustees of the asylum :—

' All persons, in becoming inmates of the institution, bind themselves to observe and obey the bye-laws and rules governing the internal affairs of the asylum. Any deliberate violation of them will be considered good cause for removal from the institution.'

' No patient will be received for a less period than three months, nor in the first instance for a longer term than one year. In order that the benefit to the patient may be permanent, the superintendent and physician will, upon a full examination of each case, determine the length of time for which the patient will be received. Females are not admitted.'

' Free Patients.—Any inebriate having a permanent home within the State, whose circumstances render it necessary, may be admitted to a free bed, at the discretion of the committee on management and discipline. If a free bed is applied for, the applicant or his friends must give satisfactory proof of the inability of the applicant or his family to remunerate the institution for his support during his stay therein. And, in addition to such proof, the applicant must furnish the certificate of the county judge of the county where he resides, and if a resident of the City of New York, of the mayor of the said city, that he is a proper person to be received into the said institution as a free patient.'

' Paying Patients.—All other persons will be charged according to the rooms, attendance, and accommodations furnished them, taking into consideration their ability to pay. In all cases payment in advance for three months will be required. No money will be refunded should the patient leave before the expiration of the three months, without the consent of the committee on management and discipline.

' The paying patient, upon entering the institution, or some friend on his behalf, will be required to execute a bond or obligation, to be signed by himself and one responsible surety, residing within the State, in the following form :—

' In consideration of being admitted as a patient to the New York State Inebriate Asylum, the undersigned promise the Corporation of the said asylum to pay to the superintendent thereof at said asylum, quarterly in advance, on the first day of each successive three months, the sum of dollars per week for each week and fractional parts of a week, of such succeeding three months, for which such patient has been, or may be admitted, for the medical treatment or board of such patient; also to pay for extraordinary medical and other extra attendance, should such attendance be necessary;

to

‘to provide or pay for such requisite clothing and other articles as the superintendent may deem necessary for the health and comfort of said patient; to remove said patient when discharged; to reimburse such necessary expense as may have been incurred in case of his death, and to pay all damages which may be committed by said patient upon ‘the property of said asylum.’

‘Witness our hands day of 187 .

Principal.
Surety.’

“ Besides these general rules and regulations there are special rules for the patients, requiring prompt attendance at meals and upon the religious exercises; retirement at 10 o’clock in the evening, and lights to be extinguished at half-past 10; no spirituous or fermented liquors to be used, and the indulgence in tobacco disapproved; and, moreover, ‘every patient on admission to the institution is required to sign the following pledge: I promise faithfully to conform myself to the above rules so long as I am an inmate of this asylum.’ ”

“ By order of the Trustees.”

“ Supplemental rules have also been adopted by order of the superintendent, Dr. Dodge, to the following effect:—By permission of the superintendent, patients who have observed all the rules of the asylum for eight successive weeks can visit the city of Binghamton twice a week without an attendant. Any abuse of this privilege will involve its withdrawal. Bringing alcoholic drinks into the asylum will be considered the greatest crime, and disobedience of the rules renders the patient liable to expulsion. It will be the duty of the secretary to inform the friends of all patients who visit the town of Binghamton without permission, or disregard any other important rule of the institution.

“ 22. Your Committee have thus given a summary of the law and practice as regards inebriate asylums in the State of New York; but as the laws vary in each State, it remains to give an outline of the laws for and management of asylums in the State of Pennsylvania, as explained by Dr. Parrish. The features of legislation on this important subject in two of the leading States of the Union will in this manner be fully described.

“ 23. In Pennsylvania there is a general State law, entitled—

‘An Act relating to Lunatics and Habitual Drunkards. That law provides, that any relative of an habitual drunkard may present the case of a drunkard to a president judge of the Common Pleas or Quarter Sessions. The judge appoints a commissioner, generally a legal gentleman of ability, in whom both parties have confidence. This commissioner calls a jury in his own office, so as to prevent any public exposure of the case, the jury usually consisting of six individuals; both parties, the drunkard himself and his friends, are notified that on a certain day the case will be heard; evidence is then brought forward to show that the man is an habitual drunkard, and incompetent to attend to his own affairs; if the evidence is satisfactory, the jury returns a verdict to that effect, and makes a report to the judge. The judge under these circumstances appoints a committee for the man’s person and estate; or two committees, one for his person and the other for his estate, as the parties themselves may determine to be best. The committee has full power to take the inebriate and put him in prison if refractory, or in a lunatic asylum if there be evidence of partial or entire lunacy, or in an inebriate asylum if he prefers it. Power of attorney can be transferred to the superintendent of the asylum, giving the entire control, so that the asylum authorities have as much power over him as a warder over a convict in a penitentiary.’ The law runs as follows, set forth in an Act passed three years since, purposely to cover the institution at Media: ‘Any person addicted to the intemperate use of narcotics or stimulants may, at the discretion of the proper officers of the institution, be received for custody or treatment, either upon voluntary presentation, or if a declared habitual drunkard, upon presentation by such person’s legally constituted committee; or if having no committee, upon presentation of such person’s guardian or next friend, who produces a certificate of two physicians, setting forth that they have examined the person so presented, and the result of their examination; which certificate must be verified by the oath or affirmation of its signers taken before a judicial officer having authority to administer oaths, and have the written attestation of such judicial officer that the physicians named are of good repute, and that the signatures are genuine.’ ‘Justices have no right whatever to commit to any other institution than the gaol. The police upon the street have a right to arrest a man for drunkenness and to put him in the lock-up; in the morning he is brought before the magistrates, where he pays his fine of five dollars and is released, or in default is committed for 30 days. The fine in Philadelphia is five dollars; in the country it is smaller.’

“ 24. Besides the legislation respecting the inebriate asylums which has been explained at some length, laws have also been passed in various States of the Union tending to prohibit or restrain the sale of intoxicating drinks, and in some instances to lodge this power with the inhabitants of certain localities. Although this extended inquiry does not fall within the strict letter of the instructions referred to your Committee, yet inasmuch as attempts at prohibition have special public interest at the present moment, it seemed advisable to elicit from the able witnesses who have rendered such valuable information respecting the management of inebriate asylums, the results of their observations and ex-

perience respecting the operation of prohibitory or restrictive State laws. In reply to a question on this subject Dr. Parrish remarks :—

‘ We have a law that is very commonly discussed at this time in the several States; somewhat similar, I suppose, to your Permissive Bill; it is called the *Local Option Law*. I have a copy of it with me; I have here the laws of a number of our States. Before coming here I wrote to the governors of the different States and territories, asking them for the laws regulating the sale of intoxicating liquors, and telling them the reason why I desired it. I have the laws of Iowa, Texas, Massachusetts, and Rhode Island. The laws of the State of Massachusetts are positively prohibitory. The Local Option Law of Pennsylvania provides that in each county and State on the day of the municipal election in March, the voter shall have a right to vote whether licenses shall be granted or not. One ticket is marked “License,” and the other “No License.” And in voting for city or county you drop in the paper with the ballot. The papers are counted by the judges of election; and if the people of the city or county vote determining that there shall be no licenses granted for the sale of intoxicating liquors, the courts have no power to grant them. If they vote the other way the courts do grant them.

‘ Before the general law was passed, one of the wards in our State, the 22nd, applied to the Legislature for a law for that ward alone, and, of course, as the people asked for it the Legislature granted it, as the people are supposed to be the rulers. A gentleman residing in the ward applied to the court for a license, and on the 18th of last month, the day after I left home, the matter was to come before the court to be decided; what the result has been I do not know. The decision of the Supreme Courts some years ago upon the same principle, declared such legislation to be unconstitutional; and I suppose that would be the result of this law, from the concurrent sentiment of the press upon the subject, and the general opinion we hear expressed. Supposing the law not to be unconstitutional, but to be legitimate in all respects, it is the opinion of some of us that it works injudiciously, for this reason, that in countries or cities where the temperance sentiment prevails, and where you have a sober and industrial people, you would simply get the voices of the people in favour of continuing their temperance and industry; but in the localities where the temperance sentiment does not prevail, and where you want the effect of the law the most, you would not get it, so that it would seem to be unwise legislation. We have also a law called the Ohio Law, passed some time since in the State of Ohio, and also in the State of Indiana, which is in the nature of a restrictive law. It provides that licenses shall be granted; but a woman having a drunken husband has a right to go to the keeper of a public-house, and give him notice not to sell her husband liquor. If he does sell him liquor he becomes responsible for what we may term here “*consequential damages*.” If the husband goes home and burns a neighbour’s house or barn, the man who sold him the liquors is obliged to pay for it.

‘ I do not know that prohibitory laws have been enforced anywhere. There is a law that was passed 21 years ago in Maine, called the Maine Liquor Law, and the same thing has been done to a large extent in Massachusetts. Our people are restless, as you know, and somewhat credulous, and we pass laws under the impression that they will execute themselves, but we are beginning to find out that they will not, that it requires a complaint, a suit, and a trial. A prohibitory law, in order to be effective, must find persons who complain of its violation, and there are very few persons who like to put themselves in that position.

‘ I wrote to a distinguished temperance man at Boston, asking the question, “What do you know about prohibitory laws and the punishment of drunkards.” The gentleman is Mr. Otis Clapp. He is Assessor of the United States Fourth District of Massachusetts, and one of the Vice Presidents of the American Association for cure of Inebriates; he is a man of very well known reputation, both for integrity and ability in every way. I was anxious to what his ideas were as a moderate and sensible man. He writes thus:—“You wish to learn about prohibitory laws and the punishment of drunkards, and their effect upon the habits of the people in Massachusetts and other places. It is no easy matter to do this, because the whole question is in a sort of muddle. The prohibitory law was on the statute book many years, but as it was left to city officials to enforce them, they were not enforced. Ardent spirits were freely sold in Boston up to within a few years. This gave dissatisfaction to the country, and they tried to give Boston a metropolitan or State police. This Governor Andrew vetoed, or threatened to do so; and a friend, at his suggestion, offered in the Legislature a Bill for a State police. This the temperance men caught at, and helped to establish. They prosecuted the hotel bars and rich liquor sellers. The consequence was they formed a secret order (P. L. L.) all over the State, who entered into the election, and thus gained votes enough to repeal the law. After a year or two it was re-enacted, and then again altered. So we go; within a day or two, after a long and earnest debate, they come within one or two votes of another change. I mention this to show that we have nothing to settle on this matter of prohibition but what is unsettled. The law now is against the selling of distilled spirits, but towns may vote to authorise the sale of ale or lager beer. Cider is freed. Some towns and cities vote to authorise the sale of these liquors, others against. The consequence is that regular drinkers can purchase what they want. In the rural districts, at a distance from the cities or large towns, it is generally difficult for drinkers to procure intoxicating liquors; but in the cities we have hundreds of poor men and women who keep no bars,

“ but who retail spirits by the glass to customers whom they know, and never have on hand at one time more than one quart or gallon of spirits. They purchase as they need. “ Indeed, it is peddled from waggons like milk. In short, prohibition may have its “ advantages, but it is not here more than a partial success. I wish I could present you “ a more pleasing picture, but I cannot. The rum interest can raise untold thousands in “ men or money to form regiments of drinkers and inebriates to battle in aid of their own “ destruction. The measures resorted to for evading the law are very curious, and *it has “ always been a question with me whether the demoralisation of society* in creating a sense “ of disrespect of the law, and all sorts of manœuvres to escape it, is not as great an evil “ as the drinking of the liquor.”

“ In answer to a question how far the prohibitory laws, where most stringently administered, would interfere with private drinking, Dr. Parrish further remarks, ‘ Even in the “ States where prohibitory laws are enacted, and are nominally enforced, nobody can “ interfere with the trade in *imported liquors* if they are sold in the original package. A “ judge who goes to a wine merchant and gets a basket or package of wine, and drinks at “ his own table, and then sits upon the bench to try a man for selling intoxicating liquors, “ of course feels a degree of inconsistency in attempting to deal with a man under such cir- “ cumstances.’

“ Speaking of the different modes of evading the prohibitory law, Dr. Parrish adds, ‘ The “ law in Massachusetts is that no liquor shall be sold *over a bar*. You on that side of the “ bar cannot sell it to me on this side, but you can go into another room and put it *upon “ a table*, and *I may* sit down and drink it, and no law *can* touch me. Or you can go into “ a town and register your name on the hotel books as John Smith. You want to get a “ drink; you cannot see any bar. The proprietor comes and sees what you want, and “ says, “ While you are here in the town you can become a member of the commercial club “ by paying a dollar, and that will entitle you to a certain number of tickets, and each “ ticket will entitle you to a drink, which you can get in a private room.”’

“ The evidence of Dr. Dodge is to the same effect; that the law, where prohibitory, is constantly evaded. He is of opinion, however, that the prohibition does diminish the consumption of spirits in certain localities to the extent of one-half; but he offers this remark ‘ simply as a matter of opinion.’

“ 25. Mr. Dalrymple observed that at Boston the inebriate asylum was next door to a beerhouse, although, according to the theory of prohibitory laws, there should be no such thing as a beerhouse in all Boston. He also repeats a statement made to him by a law officer in Canada, who said, ‘ Take care what you are about, and whatever you do in “ shutting up your public-houses, *take care you do not drive your people to spirits*. If we “ had no crime resulting from drunkenness to deal with, except that which comes out of “ beer drunkenness, we should have comparatively very little to do.’

“ 26. Your Committee have dwelt at considerable length upon the information received from the United States, because legislation in that vast and rising country runs in a different groove from that which has been observed in Great Britain and Ireland, and because it is desirable to record the result of diverging laws and institutes which may almost be considered in the light of legal experiments, amongst a free people speaking our language, and inhabiting many of the forms and usages of our courts of law. Before closing this review of the whole evidence adduced, it may be well to touch shortly upon that received from witnesses resident in the United Kingdom.

“ 27. Of the witnesses examined respecting the United Kingdom, numbering 26 out of a total of 29, a large proportion were members of the medical profession; physicians and surgeons in general practice, medical inspectors or superintendents of lunatic asylums, and directors or managers of private asylums. Connected with the administration of the law were examined the intelligent stipendiary magistrate of Sheffield, several governors of prisons, and chief constables of counties and boroughs.

“ 28. The medical evidence proved clearly that the mania for drink often proceeds from cerebral disease. The medical superintendent of the large lunatic asylum at Wakefield has known, within his own experience, cases of dipsomania caused by injuries to the head, *in perfectly sober and sedate men*, and has also observed the same effect resulting from a sun-stroke. This evidence is confirmed by the medical superintendent of the insane of the Indian Army; but whilst cerebral disease may, in some instances, be the cause of habitual drunkenness, it is usually the effect rather than the cause. In the Wakefield Asylum, out of 500 cases of lunacy, no fewer than 79, or 15 per cent., were directly due to drunkenness, irrespective of a large number indirectly due to the same cause. A like proportion also obtains in Lancashire. In the South of England, the proportion is considerably less, and in Somersetshire has been estimated at about 7 per cent.; whilst in Scotland the medical inspector of lunacy considers that not less than 19 per cent. is attributable to this cause. The physician at the Royal Edinburgh Asylum estimates that out of the total number of males admitted to the asylum, 16 per cent. of the cases have been brought on by drink, and of the females 7 per cent.; making an average for both sexes of 11½ per cent. In all cases of cerebral disease, whether the cause or the effect of habitual drunkenness, your Committee are of opinion that any penal discipline would be unwise, cruel, and worse than useless. What is needed is, medical treatment in the first instance, followed by careful reformatory discipline, and extended for a period sufficiently long to effect a cure, where possible.

" 29. In the management of private asylums or retreats, there is the same difficulty as that referred to in the evidence from the United States, viz., the absence of the power of detention for a curative period of sufficient length. In one special instance, the manager of a retreat of this character took the law into his own hands, and illegally detained one patient for the space of 18 months; taking care, however, to have a bond of indemnity in each instance from the relatives of the persons thus illegally detained. Perhaps no stronger proof could be adduced of his conviction of the necessity of a long period, in order to give the patients a chance of cure. It may be added that during the latter portion of the stay of the patients, they were permitted a certain degree of liberty on their *parole* or word of honour to abstain from intoxicating drinks. The superintendent was careful only to grant this liberty where he was satisfied that the patient had considerable power of self-control; and occasionally the liberty was accompanied by some degree of surveillance. It may, moreover, be said, to the credit of the patients, that very few of the cases [probably not more than 10 per cent.] broke their parole. The same gratifying testimony as regards their sense of honour, and their care not to break their parole, was mentioned by the assistant manager of the 'Christian Home for Inebriates,' at Bakewell, Derbyshire.

" 30. The Inspector of Lunacy for Scotland remarks that there is a provision in the Scotch law, not to be found in any other law; and in 1866, an amended clause was introduced, by which it was rendered possible for a man to enter an asylum *on his own written application*, and with the sanction of the Commissioners of Lunacy. The effect has been that during the last five years 184 have thus entered voluntarily; and this is a considerable number for a small country like Scotland.

" 31. With regard to the administration of the law, the stipendiary magistrate of Sheffield gave valuable evidence, and pointed out clearly the defects in the existing law respecting drunkards. Under the old statutes of James I., viz., the 4th and 21st, the well-known penalty of 5 s., for the offence of drunkenness simply, is imposed; but no power is given to enforce payment. It is true that in default of payment the prisoner may be placed in the stocks for six hours, a mode of punishment suited to the time when it was enacted, but totally unsuited to the present day. The same remark will apply to the penalty of 5 s., which, from the increased value of money, would at the present time be nearly 40 s. Again, under the same statutes, a party may be required to enter into recognisances for the sum of 10 l.; but as there can be no formal proof of the first conviction at the petty sessions, where no record is kept of former convictions, these statutes are inoperative. Nevertheless, the stipendiary magistrate has been in the habit of calling upon habitual drunkards to find sureties for *good behaviour* for six months; doing so under no general Act, but under what he believes to be common law. He cannot, however, both fine the parties and require them to find sureties;—a defect in the present law to which he called the attention of your Committee. His chief object in insisting upon sureties is to bring the moral influence of relatives to bear upon drunkards, and thereby prevent the repetition of the offence. With regard to the estreating or forfeiting of sureties, the mode of doing so by appeals to quarter sessions is so cumbrous as to be out of the question. Practically, therefore, sureties are not estreated. Mr. Davis, the stipendiary, thinks 'that power should be given to the same court of petty sessions which calls upon the parties to *find sureties*, to enforce them.' In order to afford facilities for proof of previous conviction, he recommends that the courts of petty sessions in England should be courts of record, as they are in Ireland, and as the county courts are at the present time.

" 32. From all administrators of the law, there is the same unanimous opinion as to the utter uselessness, or worse than uselessness, of the penalties of fine and imprisonment for habitual drunkards. The Governor of the Hull Prison reports that 'prisoners under short sentences for drunkenness are unfit for work, noisy, bad to manage in every way; and when they go out, the craving for drink has been newly created, so that they go direct to the public-house.' He recommends a separate receptacle for drunkards, totally disconnected from prison discipline, and where they may be kept *until the drink is out of them*. An extreme case may here be mentioned of a female habitual drunkard, lately incarcerated in the Ripon prison, who, from 1847 to 1872, or for a space of 25 years, spent five years, nine months, and twenty days in prison; that is, one day out of every five during that period.

" 33. The chief constables speak generally of the beneficial effects of the Wine and Beer Acts of 1869 and 1870. They also state that there is a considerable amount of adulteration in beer and spirits, and that the deleterious character of the spirits often arises from their being new and raw. In Glasgow, cases have been noted, even to the extent of 20 on a Saturday night 'in a state of narcotism, being dead drunk, and quite unconscious; the result of imbibing to excess new and raw whisky.' The chief constables of the West Riding of Yorkshire and of Leeds are strongly in favour of applying the 10th clause of the Habitual Criminals Act to habitual drunkards, and conceive that there would be no more difficulty in acquainting publicans with known habitual drunkards than there is as regards habitual criminals.

" 34. In comparing the returns of drunkenness received from chief constables, showing also the number of public-houses, it appears that the proportion of drunkenness is by no means

means in ratio to the number of houses; or, in other words, that drunkenness is not proportionate to the facilities for intoxication.

"35. Your Committee, after considering the whole question as to the best mode of dealing with drunkards, including not only the management of inebriate asylums, but also the control and prevention of the habit of drunkenness, arrive at the following conclusions and recommendations:—

"Firstly. That the statutes of James I. be repealed.

"Secondly. That the fine for drunkenness for the first or second offence [when it is most desirable to prevent the formation of the *habit*] should not exceed 40 s., or in default thereof, imprisonment for a period not exceeding 30 days [being for the same term as that imposed in the United States]; the precise amount of both fine and imprisonment being left to the discretion of the sitting magistrate; and that, after a second offence, the magistrate should have the power of insisting upon sureties, not exceeding 10*l.*, as under the statute of James I.

"Thirdly. That there be a ready mode of estreating sureties at petty sessions, and that courts of petty sessions be courts of record, at least for cases of drunkenness or offences against the licensing laws.

"Fourthly. That in any proposed Bill or special legislation for habitual drunkards, the 10th clause of the Habitual Criminals Act should apply; and that the same conditions and penalties imposed under that clause upon beersellers, publicans, and others, for knowingly harbouring thieves or habitual criminals, should also apply to those who harbour habitual drunkards.

"Fifthly. That stringent precautions should be introduced into the same Bill, or in any general measure, for preventing the adulteration of beer and alcoholic liquors; and that for this purpose there be recognised official analysts appointed in convenient centres.

"Sixthly. That it is desirable to form inebriate asylums in populous localities or centres, to be afterwards extended as occasion may require; that such asylums should be divided into two classes, viz., private asylums supported by voluntary contributions, and public asylums for the reception of committed patients, the support of which, beyond the earnings of the inmates themselves, should be raised from imperial and county funds; that for the erection of these reformatories for habitual inebriates, the same provisions might apply as were originally introduced for the erection of juvenile reformatories; that special legislation for the conduct and management of these asylums is desirable; and that the terms of admission to, and detention in, private asylums should be clearly defined and carefully guarded, like those adopted by the New York State Inebriate Asylum; and that an Act should be passed similar to that 'for the better regulation and discipline' of the said asylum; that under the same general laws for the conduct and management of inebriate asylums, and for the terms of admission, a provision might be inserted like that introduced under the amended clause of the Scotch law, whereby an individual may enter an asylum upon his own written application, and with the sanction of the proper authorities.

"Seventhly. That after the third conviction for drunkenness within twelve months, the person convicted should be liable to be sent, at the discretion of the committing magistrate, to an asylum for inebriates. This recommendation is confirmed by a Return of Habitual Drunkenness, from 1st July 1870 to 1st July 1871, presented to the House of Commons, from which it appears that out of a total of 238,274 convictions for being drunk and disorderly, 23,175 were second convictions, 12,065 were third convictions, and 21,848 were cases of more than three convictions, proving that after the third conviction parties become reckless, and ordinary imprisonment loses its effect.

"Eighthly. That inasmuch as all laws in the United States for the prohibition of the sale of alcoholic liquors, including the Local Option Law of Pennsylvania, have proved ineffectual to suppress habitual drunkenness, prohibitive legislation should not be introduced into this country."

Motion made, and Question, "That the Draft Report proposed by the Chairman be now read the second time, paragraph by paragraph"—put, and *agreed to*.

Paragraph 1, *agreed to*.

Paragraph 2.—Amendment proposed, in line 2, after the word "attributed," to insert the words "among other causes"—(Mr. *Mitchell Henry*).—Question put, That those words be there inserted.—The Committee divided:

Ayes, 2.

Mr. Birley.
Mr. Mitchell Henry.

Noes, 7.

Mr. Akroyd.
Colonel Brise.
Sir Harcourt Johnstone.
Mr. Miller.
Mr. Henry Samuelson.
Major Walker.
Mr. William Henry Gladstone.

Another

Another Amendment proposed, after the word "attributed," to insert the words "in some measure"—(Major *Walker*).—Question put, That those words be there inserted.—The Committee divided :

Ayes, 8.
Mr. Akroyd.
Mr. Birley.
Mr. Mitchell Henry.
Sir Harcourt Johnstone.
Mr. Miller.
Mr. Henry Samuelson.
Major Walker.
Mr. William Henry Gladstone.

Noe, 1.
Colonel Brise.

Paragraph further amended.—Another Amendment proposed, in line 5, to leave out the words "This does not appear to be equally true of agricultural districts and populations"—(Mr. *Mitchell Henry*).—Question put, That the words proposed to be left out stand part of the proposed paragraph.—The Committee divided :

Ayes, 9.
Mr. Akroyd.
Mr. Birley.
Colonel Brise.
Sir Harcourt Johnstone.
Mr. Miller.
Dr. Lyon Playfair.
Mr. Henry Samuelson.
Major Walker.
Mr. Wharton.

Noes, 2.
Mr. Mitchell Henry.
Mr. William Henry Gladstone.

Paragraph, as amended, *agreed to*.

Paragraph 3, *agreed to*.

Paragraph 4.—Amendments made.—Another Amendment proposed, in line 3, after the word "drink" to insert the words "one witness having stated the amount as equal to 79 per cent. in a particular gaol"—(Mr. *Wharton*).—Question put, That those words be there inserted.—The Committee divided :

Ayes, 6.
Mr. Birley.
Colonel Brise.
Mr. Mitchell Henry.
Mr. Miller.
Dr. Lyon Playfair.
Mr. Wharton.

Noes, 5.
Mr. Akroyd.
Sir Harcourt Johnstone.
Mr. Henry Samuelson.
Major Walker.
Mr. William Henry Gladstone.

Paragraph further amended, and *agreed to*.

Paragraph 5, amended, and *agreed to*.

Paragraph 6.—Amendments made.—Another Amendment proposed, in line 3, after the word "sacrificed" to leave out all the words to the end of the paragraph.—Question put, That the words proposed to be left out stand part of the proposed paragraph.—The Committee divided :

Ayes, 4.
Mr. Akroyd.
Mr. Mitchell Henry.
Mr. Miller.
Mr. William Henry Gladstone.

Noes, 7.
Mr. Birley.
Colonel Brise.
Sir Harcourt Johnstone.
Dr. Lyon Playfair.
Mr. Henry Samuelson.
Major Walker.
Mr. Wharton.

Paragraph, as amended, *agreed to*.

Paragraph 7, amended, and *agreed to*.

Paragraph 8.—Amendment proposed in line 1, after the word "That," to insert the word, "though"

"though"—(Mr. *Birley*).—Question put, That the word "though" be there inserted.—The Committee divided :

Ayes, 5.
Mr. Birley.
Mr. Mitchell Henry.
Mr. Miller.
Mr. Henry Samuelson.
Mr. William Henry Gladstone.

Noes, 6.
Mr. Akroyd.
Colonel Brise.
Sir Harcourt Johnstone.
Dr. Lyon Playfair.
Major Walker.
Mr. Wharton.

Another Amendment proposed, after the word "That," to leave out all the words to the word "there" in line 2—(Mr. *Mitchell Henry*).—Question put, That the words proposed to be left out stand part of the proposed paragraph.—The Committee divided :

Ayes, 6.
Mr. Akroyd.
Colonel Brise.
Sir Harcourt Johnstone.
Dr. Lyon Playfair.
Major Walker.
Mr. Wharton.

Noes, 5.
Mr. Birley.
Mr. Mitchell Henry.
Mr. Miller.
Mr. Henry Samuelson.
Mr. William Henry Gladstone.

Another Amendment proposed, in line 3, to leave out the words "wine or"—(Colonel *Brise*).—Question put, That the words "wine or" stand part of proposed paragraph.—The Committee divided :

Ayes, 6.
Mr. Akroyd.
Mr. Mitchell Henry.
Sir Harcourt Johnstone.
Mr. Miller.
Dr. Lyon Playfair.
Major Walker.

Noes, 5.
Mr. Birley.
Colonel Brise.
Mr. Henry Samuelson.
Mr. Wharton.
Mr. William Henry Gladstone.

Paragraph *agreed to*.

Paragraphs 9—21, amended, and *agreed to*.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 13th June, 1872.

MEMBERS PRESENT :

Mr. DONALD DALRYMPLE in the Chair.

Mr. Miller,
Mr. Akroyd.
Sir Harcourt Johnstone.
Mr. William Henry Gladstone.
Mr. Mitchell Henry.

Mr. Wharton.
Mr. Birley.
Mr. Clare Read.
Mr. Henry Samuelson.
Dr. Lyon Playfair.

Paragraphs 22—24, amended, and *agreed to*.

Paragraph 25.—Amendments made.—Another Amendment proposed, in line 13, after the word "exceeding" to insert the words "two years"—(Mr. *Mitchell Henry*).—Question put, That those words be there inserted.—The Committee divided :

Aye, 1.
Mr. Mitchell Henry.

Noes, 9.
Mr. William Henry Gladstone.
Sir Harcourt Johnstone.
Mr. Akroyd.
Mr. Miller.
Mr. Wharton.
Mr. Birley.
Mr. Clare Read.
Mr. Henry Samuelson.
Dr. Lyon Playfair.

Another Amendment proposed to insert the words "Twelve months"—(*The Chairman*).
—Question put, That those words be there inserted.—The Committee divided :

Ayes, 8.
Mr. William Henry Gladstone.
Mr. Akroyd.
Mr. Miller.
Mr. Wharton.
Mr. Birley.
Mr. Clare Read.
Mr. Henry Samuelson.
Dr. Lyon Playfair.

Noes, 2.
Sir Harcourt Johnstone.
Mr. Mitchell Henry.

Paragraph amended, and *agreed to*.

Paragraphs 26—28, amended, and *agreed to*.

Paragraph 29.—Amendment proposed, in line 2, after the word "institutions," to leave out the words "or as a part of a prison"—(*Mr. Henry Samuelson*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided :

Ayes, 6.
Mr. Mitchell Henry.
Mr. Miller.
Mr. Wharton.
Mr. Birley.
Mr. Clare Read.
Dr. Lyon Playfair.

Noes, 3.
Sir Harcourt Johnstone.
Mr. Akroyd.
Mr. Henry Samuelson.

Paragraph amended, and *agreed to*.

Paragraph 30, *disagreed to*.

New paragraph inserted.

Paragraph 32, amended, and *agreed to*.

Paragraph 33, *agreed to*.

Paragraph 34, amended, and *agreed to*.

New paragraph added.

Question, "That this Report, as amended, be the Report of the Committee to the House"—put, and *agreed to*.

Ordered, To Report, together with the Minutes of Evidence, and an Appendix.

EXPENSES OF WITNESSES.

N A M E of W I T N E S S.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Mr. William Smith -	Governor of Prison (Ripon)	Ripon -	3	3 3 -	3 5 -	6 8 -
Mr. Henry Webster -	- - ditto - (Hull)	Hull -	3	3 3 -	2 14 -	5 17 -
Mr. William White -	Doctor, and Coroner for Dublin.	Dublin -	4	8 8 -	5 9 -	13 17 -
Dr. J. C. Browne -	Physician - - -	Wakefield -	3	9 9 -	2 17 6	12 6 6
Dr. Skae - - -	- ditto - - -	Edinburgh -	3	9 9 -	6 1 -	15 10 -
Mr. George William Mould.	Surgeon - - -	Manchester	3	6 6 -	2 19 -	9 5 -
Dr. Charles Robert Bree	Physician - - -	Colchester -	2	6 6 -	1 2 -	7 8 -
Dr. Alexander Peddie -	- ditto - - -	Edinburgh -	6	13 13 -	6 1 -	24 19 -
Dr. John Nugent -	Inspector of Lunatics -	Dublin -	4	4 4 -	6 3 -	10 7 -
Dr. Arthur Mitchell -	Physician - - -	Edinburgh -	3	3 3 -	6 1 -	9 4 -
Mr. J. E. Davis -	Stipendiary Magistrate -	Sheffield -	2	2 2 -	2 11 -	4 13 -
Mr. John Jackson -	Chief Constable - -	Sheffield -	2	2 2 -	2 11 -	4 13 -
Captain McNeill -	Chief Constable, West Riding, Yorkshire.	Wakefield -	2	2 2 -	2 18 -	5 - -
Dr. McGill - -	Surgeon of Police - -	Glasgow -	3	3 3 -	6 1 -	9 4 -
Major Greig - -	Chief Constable, Liverpool	Liverpool -	3	3 3 -	3 3 -	6 6 -
Mr. Fawcett - -	Assistant Manager of Home for Inebriates at Bakewell.	Bakewell -	4	4 4 -	3 - -	7 4 -
Mr. T. P. Nelson -	Manager of Queensberry Lodge Home for Ine- briates.	Edinburgh -	3	3 3 -	6 1 -	9 4 -
Mr. James Wetherill -	Chief Constable, Leeds -	Leeds -	3	3 3 -	2 19 -	6 2 -
Mr. John Harman -	Retired Pharmaceutical Chemist.	Newcastle -	3	3 3 -	4 5 -	7 8 -
Dr. Daniel Dodge -	Physician - - -	Brighampton (U.S.)	35	110 5 -	73 8 -	} 283 13 -
Ditto (Allowance for Substitute).	- - -	- - -	-	100 - -	-	
Dr. Joseph Parrish -	Physician - - -	Philadelphia (U.S.)	-	110 5 -	51 13 -	} 261 18 -
Ditto (Allowance for Substitute).	- - -	- - -	-	100 - -	-	
					£.	720 6 6

Mem.—In addition to the above payments, a sum of 5 l. 5 s. was paid to Mr. F. H. Cester, for translating a document in the Swedish language for the use of the Committee.

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MINUTES OF EVIDENCE.

Friday, 8th March 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Colonel Brise.
Mr. Donald Dalrymple.
Mr. Downing.
Lord Claud John Hamilton.
Mr. Mitchell Henry.

Sir Harcourt Johnstone.
Mr. Miller.
Dr. Lyon Playfair.
Major Walker.
Mr. Wharton.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Mr. WILLIAM SMITH, called in; and Examined.

1. *Chairman.*] You are Governor of the Prison of Ripon?—Yes.

2. How long have you been so?—Eleven years.

3. Before you became governor of that prison, were you engaged in any way or connected with the police force?—I was in the police force of Bradford and Wakefield.

4. You have necessarily made yourself acquainted with the habits of the criminal population?—Yes, for the last 23 years.

5. Have you been able to form any opinion upon the connection between repeated drunkenness and repeated offences?—Yes.

6. Will you kindly state to the Committee what that connection in your opinion is?—The repeated drunkards are a class of prisoners who just suffer for nothing but what occurs after drink; they are not felons, but they go about hawking from town to town small wares, and the moment they obtain sufficient money to get drink with, they get drunk.

7. Am I to understand that you connect the repetition of the offence with the repetition of the drunkenness?—No; those who are habitual drunkards are not really thieves; there is a distinction. A thief is one who undoubtedly takes the drink to a certain extent, but he always takes care about getting drunk, because if he gets too drunk he cannot commit the felony. That is where, I think, is the distinction.

8. Then the repeated offences which are committed; while persons are drunk, are offences of ordinary violence, and of petty larcenies, and things of that sort?—Yes, ordinary larcenies, assaults, and so on, when in drink.

9. On what facts or returns do you found those opinions; have you a mass of facts, or any particular returns and statistics which you can

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lay before the Committee?—There is one case of drunkenness of which I have statistics, and there is not a felony in them. It is the case of a woman who has been in Wakefield Gaol 17 times, for periods of from three days to three months; in Leeds Gaol 11 times, varying from eight days to one month; in Northallerton Gaol 15 times, varying from 14 days to one month; and in Ripon Gaol 15 times, varying from 14 days to two months; all for being drunk, and drunk and disorderly.

10. *Mr. Downing.*] Not two months for drunkenness?—Drunk and disorderly; what I call drunk and riotous. The police generally say, "We will not take her merely for drunkenness," but she is drunk and brawling, or drunk and riotous; and in some towns there is a bye-law under which they can take them, or they can take them under the General Act and give them two months instead of seven days.

11. That makes a total of 58 times that that woman was actually committed?—Yes.

12. *Mr. Akroyd.*] Within what period of time is that?—It makes the whole imprisonment five years, nine months, and 20 days.

13. *Chairman.*] That is the amount of time that the prisoner has been in prison?—Yes.

14. Over what space of time do these committals extend, from what date to what date?—She commences in 1847, and ends in 1872; 25 years.

15. Continuous up to this time?—Yes; in fact she is in gaol now.

16. *Mr. Wharton.*] You say that that woman has never been found guilty of felony?—Not once.

17. *Chairman.*] Is there any reason why you should not give the name of the party?—If the Committee wish it I will give it.

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Mr. *W. Smith.* 18. She is a prisoner on the books; give us her name?—Mary Thompson, *alias* Fox, *alias* Conolly; she takes a fresh name in the different gaols.

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19. Have you any other case?—I have the case of a man who has been committed for assaults, and for being drunk and riotous, and for vagrancy; he has been seven times in Wakefield Gaol, three times in Lancaster, and once in Beaumaris Gaol, Wales, once in Kendal, twice in Northallerton, seven times in Ripon, and once in Trim in Ireland; his name is John Wolf, *alias* Blanche, *alias* Murray, *alias* Johnson.

20. Mr. *Miller.*] Is he a daily working man?—Yes, he is a labouring man.

21. Colonel *Brise.*] How many times was he committed altogether?—Twenty-three; that is for assault as well as for drunkenness, but he committed the assaults when drunk.

22. Mr. *Akroyd.*] During what period was he committed those twenty-two times?—He commences in 1863, and ends in 1871; that is eight years.

22*. *Chairman.*] I understand that in the first of these cases the first committal was for seven days, and gradually went on?—Yes.

23. Have you also an acquaintance with the drunkard as apart from the offences committed whilst drunk, I mean do you know anything about the life of the drunkard when not in custody; do you know what his life is when he is at large; is a man who is repeatedly committed for drunkenness, when he is out of prison living on the verge of crime, or does he earn his living respectably, or what are the social habits of the man when he is at large?—He will perhaps work about two days a week, and he will drink during the remainder of the time; that is about his style of life.

23*. What is your opinion as to the effect of the existing method of punishing the drunk and disorderly, by short sentences of imprisonment?—Short sentences are of no avail whatever upon drunkenness; they ought to be sent for longer periods.

24. Why?—For instance, you send a man for seven days for being drunk, and the drink is not actually out of him during that time; he is numb for the whole of the time that he is in gaol; he has hardly got sober.

25. Then in your opinion, a longer period of detention from drink, either in a gaol, or in some other way, is a matter of importance in the prevention of a return to drunkenness?—Yes; nothing punishes a drunkard more than to cut him off from his old habits of drinking. His great terror is, when he is remanded to prison, he comes half-drunk, he does not know what he is remanded for, and he says, "What can they do with me now?" He is frightened that they will give him a long time; when he gets two months, which is the extreme term for being drunk and riotous, he can do it easily, and goes out better than when he came in; he is refreshed, and it is no punishment at all to him.

26. Then your opinion is, that it does not repress or prevent repeated drunkenness?—Short periods of imprisonment, in my opinion, do not.

27. Have you noticed what the physical power of these individuals is, with regard to the labour to which you may be called to put them, because some of these sentences, of course, are sentences of hard labour; what is their physical condition

as regards that labour?—They are generally weak; as a rule, drunkards are generally of weak intellect.

28. It is therefore difficult to get the labour from them, without injury to them?—Yes.

29. Have you paid any attention to the mental powers of those persons who come under your charge for crimes, and who are habitual drinkers to excess; have you noticed whether they are persons of average mental power or whether they are below the mark?—I think that they are generally below the average mark.

30. As you have had a large experience, can you tell the Committee whether you have been able to trace these habits of drink to drunken parents, fathers or mothers?—Yes; drunkards have generally come off parents who have led bad lives; in fact, I have one case in particular; it is that of a woman who has been in different gaols 33 times, and she is now serving penal servitude for seven years; that woman had a drunken father and a drunken mother, in fact, she was driven from home.

31. Major *Walker.*] Was she a drunkard herself?—Yes; in fact, when she committed the felony, she had been drinking.

32. Colonel *Brise.*] What is her name?—Martha Nixon, *alias* Troy, *alias* Ellis, *alias* Fox, *alias* Smith, *alias* Appleyard, *alias* McGrath.

33. *Chairman.*] Have you heard these persons refer to the mischief occurring to them from having had intemperate parents; have they told you that?—In one case, a son, before he was discharged, was serving two years in Ripon gaol, and the father came to see him about a month, or something like that, before he was discharged, and wished to meet him on his going out, but the son said to the father, "No, you have no need to come for me, I do not want to see you again, you have been my ruin through life; you never provided for me when I was a child, you sent me out hawking matches into the streets, and said that I must bring something home, whether I did it right or wrong, you did not care as long as you got money to sit and drink in the public-houses with, and I want to see you no more." That was the conversation between them. That is as to case of bad parents.

34. What was he undergoing the sentence for?—He was undergoing sentence for escaping from prison; he had been in 12 months before for pocket picking, stealing from the person.

35. Have you observed any particular distinction between males and females with regard to habits of intoxication, and the character of them?—The females are generally worse than the men as regards intoxication.

36. In what way do you mean that they are worse?—Females have more frequent habits of drunkenness than men.

37. Do you mean that they are more inveterate?—Yes.

38. And that when you have them in prison you have greater trouble with them?—We have a great deal of trouble with them.

39. Have you any means of informing the Committee as to the proportion of drunken men and drunken women, who thus come under your notice?—No.

40. Have you any suggestion to make to the Committee for a better plan of dealing with these cases; you have told us that the present plan of short terms of imprisonment is useless?—I should suggest to the Committee that a further

ther power be given to the justices in petty sessions, that after so many committals or convictions, leaving a fair margin, that the magistrates should send the parties for long periods, either to prison or to some other place of confinement, and that that should be not with hard labour but with a productive labour, so as to enable them to earn something towards their maintenance during the time they were in that confinement.

41. Have you any knowledge of the working of any establishment of such a character as you suggest?—Not at present; I believe that they were about to establish one in Lancashire.

42. Is any portion of your opinion formed upon the effect of industrial reformatory establishments for criminals such as exist totally independently?—No.

43. Mr. *Akroyd*.] You have stated that these drunkards are rather below the average of intellect?—Yes.

44. Do you think that that is due in any measure to their habits of drunkenness; I suppose that originally they were quite as sharp as their fellow men and women?—Yes; I attribute that to drunkenness in a great measure.

45. Mr. *Mitchell Henry*.] Do not you find criminals generally deficient in mental power?—No; some of them are very sharp men and women, in fact, they could not steal from the person without being very quick.

46. Mr. *Akroyd*.] Have you considered at all the cost to the county of these repeated cases of imprisonment?—Yes; it is an enormous cost repeatedly committing those persons, and it has no effect at all.

47. Can you give us the cost of Mary Fox, who was imprisoned for 58 times?—Yes, the cost will be about 193 *l.* 16 *s.*, including clerks' fees.

48. You were asked by the Chairman what proportion of the cases of drunkenness were due to the men, and what proportion were due to the women; out of 20 cases would they be about half-and-half, or would the cases of drunkenness of men preponderate?—As regards the drunkenness with us, the greatest number of committals is of women.

49. Out of 20 cases you would have more than 10 cases of women?—Yes.

50. Mr. *Mitchell Henry*.] What number of prisoners pass through your hands in the course of the year; what is the size of the gaol?—Perhaps about 80 odd.

51. What proportion are males, and what proportion are females?—The daily average runs about two females; the females are generally for short periods with us.

52. Of the 80, how many are women?—We perhaps do not have more than 10 or 12 females committed.

53. During the course of the year?—Yes.

54. Mr. *Miller*.] Out of those 80, how many would be females?—About 12.

55. Leaving 60 men?—No, about 68.

56. Mr. *Mitchell Henry*.] By 80, you mean that that is the whole number of prisoners, and not merely the drunkards?—The total committals are about 80.

57. What proportion of those should you say were habitual drunkards, to begin with, including men and women?—I should say about 8 to 10; something like that; I could not say exactly.

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58. Mr. *Miller*.] That is one-fourth part?—Yes.

59. Mr. *Mitchell Henry*.] You have not taken any statistics?—No, excepting the two cases which I have stated, to show to the Committee as being habitual drinkers.

60. Do you see anything of drunkenness in children; have you children brought to the gaol for drunkenness?—No, not for drunkenness; there has not been one such case in my time.

61. What kind of drink is it which is generally taken in Ripon upon which these people get drunk; is it gin or beer, or what?—Those people who get drunk chiefly drink spirits; rum and gin.

62. Have you any evidence, or have you paid any attention to the dwellings in which these persons whom you speak of as habitual drunkards live; do they live in the worst parts of the town, or in the better parts of the town?—They are generally people passing through from town to town who are brought drunk.

63. They are tramps?—Tramps.

64. It is not the population of Ripon itself that you speak of as being habitual drunkards, but they are persons who pass through?—They are, of course, the bulk of the prisoners who are committed to gaol, all passing through; and not all out of the population; but it is those who pass through the liberty of Ripon.

65. What opportunity have you of knowing how often these people have been committed if they are sent for a short time; if they are committed by the magistrates you do not get the same record of convictions as you do if they are tried at the assizes, and are committed by the judges?—No; but in our gaol rules we have a rule that if a prisoner, either before trial or after, refuses to give a proper account of himself, we have power, under a section of the bye-laws, to photograph him, and to send round his photograph to other gaols to see whether he is known. Here is the case of a woman whose photograph I have; it was sent round, and she was found to have been in Durham Gaol 11 times for being drunk, with sentences varying from one month to seven days.

66. Do you habitually make those inquiries?—Not in all cases.

67. Then it is only in a few cases which happen to strike you, that you know whether habitual drunkards have been habitually committed for crime, or not?—Yes; perhaps the police may say, "This is a very old hand; photograph him, and send round his photograph so as to see how many times he has been committed before."

68. Mr. *Wharton*.] You do not invariably photograph at Ripon?—No, excepting under the Act, by which we are bound to do so. The photographing now is after conviction, and not before conviction, and we are obliged to return the photographs to London.

69. Mr. *Mitchell Henry*.] Have you paid any attention to habitual drinking, apart from crime, in Ripon?—There is only the case of the habitual drunkard which I have mentioned before, who has been drunk without committing any crime, which I have illustrated to you.

70. You have not endeavoured to ascertain what induced these people to drink, whether misfortune, or broken health, or what?—If the Committee will allow me, I will state that in the particular case of Thompson, she pronounced before

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before she left the gaol, that if she had a home provided, and could get work in the town, she would never drink again. I repeated this to the visiting justices, and they allowed her a certain amount out of the gaol fund. I then wrote to several ladies and gentlemen, and I collected for this woman about 11*l*. I took a house in my name. I bought the furniture and all the requisites for one person. I put her in the house and she signed the pledge. I got her work at different gentlemen's houses in charing and washing. I had a surplus of money left, so that if she was out of work we could maintain her. She retained that house for about two months, and she then got drunk; she said, that she could not bear it any longer. That was looked over by the ladies subscribers, and she was got sober again, and a further trial was given. I think that lasted about six weeks longer, and then she said that she would not live upon charity any longer. She then turned out, and she got drunk, and is in the gaol again now. That was thoroughly trying the woman; there was no excuse whatever; in fact, I may mention that she was promised by the ladies subscribers, that if she would refrain from this drink, they would keep her as long as she lived. In the face of all that, she said, that she would not live upon charity; she went to the drink again, and she is now in gaol.

71. Mr. *Miller*.] What is she in gaol for, is it simply for drunkenness?—For being drunk and riotous; when she gets drunk she is noisy and commits assaults.

72. As a rule, are those persons whom you have mentioned as drunk and riotous, put in prison for being drunk and riotous, or for any other crime?—Simply for being drunk and riotous.

73. For being riotous arising out of the drink?—Yes.

74. Colonel *Brise*.] I think that you have mentioned the case of a woman who was committed 58 times, what is the state of her intellect at the present time?—She has a weak intellect.

75. What is the state of the intellect of John Wolf, whom you mentioned, who has been convicted 22 times?—He has also a weak intellect.

76. Have you any experience of the effect of drunkenness on the children of these habitual drunkards?—No.

77. I think that you mentioned a case of which you had had experience, of an habitual drunkard who attributed the state into which he had fallen to the fact of having had parents who were drunkards?—Yes, that is one case.

78. In what way did it affect this man, was it one from example only, or in any other way?—I am not aware of that.

79. Lord *C. J. Hamilton*.] When you recommend that magistrates should have the power of sending habitual drunkards for a longer period of detention, do you do so merely with the view to rid society of the nuisance of these people, or with the belief that a longer period of detention will cure them of the habits of drunkenness?—I do it upon both grounds.

80. Do you think that a long period of detention will cure them, or that moral and religious teaching will have the power of convincing them of the error of their ways?—Hitherto short periods of imprisonment have been of no avail whatever.

81. Do you really believe that a long abstinence from drink will remove the desire to drink when they are set at large again?—I think so; and by knowing that a longer period of confinement is before them, if they offend again.

82. Major *Walker*.] I understood you to say that you would not give power to the magistrates to commit these men for a lengthened period, until after a considerable number of convictions?—Yes.

83. Therefore these men probably would be confirmed drunkards?—That would depend upon the number of convictions necessary for a long period of imprisonment.

84. Supposing that a man had been convicted six times, he would be a pretty confirmed drunkard before it came to the power of the magistrates to convict him for a lengthened period?—Yes.

85. Do you think that men who had acquired these inveterate habits of drink would be likely to be cured in any numbers by a long period of detention?—I should say that a long period would be the means of checking them, because a drunkard does not like to be cut off from his old habits; nothing punishes him more than to take him from his drink for a long period.

86. Are you not of opinion that even after a lengthened period, say, nine or twelve months, a person would relapse into drunkenness in the same way as that unfortunate woman did, of whom you have given us the history?—I think not in all cases.

87. Mr. *Downing*.] Can you inform the Committee what is the cost of the support of a criminal in a gaol either by the day, or month, or year?—It varies according to the number; it depends upon the daily average. Some totals are divided upon the daily average, and, of course, if the daily average runs higher one year than another, it makes a difference. The average runs about 25*l*. per annum, after deducting the earnings.

88. You have given your opinion that a lengthened imprisonment, not in a gaol but in a reformatory, if it would not have the effect of curing the drunkard of his habits would, at all events, very much mitigate the evil?—Yes.

89. I believe that the law is, that a person convicted of drunkenness, has the option of paying a fine, and that if he pays it, he cannot be imprisoned?—In some cases, I think that the seven days are without fine; that is under the Wine Licences and Refreshment Houses, 14 June 1860, Act. If the justices think fit, instead of inflicting on him a penalty of 40*s*. can send him to gaol for seven days.

90. That is under the Towns Commissioners Act?—Yes; for simple drunkenness. Refreshment Houses and Wine Licences Act.

91. It is only in case the party does not pay the fine, that he can be imprisoned?—Simply for the two months.

92. That is the law in Ireland, and I take for granted that the law is the same in this country?—Yes.

93. A great many persons may be fined for drunkenness, and may pay the fine, that you know nothing of?—Yes; those are only convictions, and not committals.

94. In the case of every person who is in prison under a magistrate's warrant, you receive that warrant?—Yes; those are actual committals.

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95. What is the population of Ripon?—The gaol does not belong to Ripon alone; it belongs to the liberty of Ripon, which extends perhaps about 23 miles across; I do not think that the last Census has yet been published, but I think that it runs about 14,000 or 15,000.

96. Am I to understand you to have conveyed to the Committee, that all those parties who were imprisoned for drunkenness were tramps?—Not all of them.

97. Are there many from the town of Ripon, whom you consider habitual drunkards?—No; they are principally tramps.

98. Then Ripon appears to be very free from the habit of intoxication, according to your evidence?—As you have just remarked, a good many persons probably pay the fine, and then they do not come into my hands at all.

99. Supposing that the woman, towards whom the ladies showed so very kindly a feeling in providing for her a house, had been instead of two months, for 12 months in a reformatory, and had received instruction, religious instruction, and other care necessary for a person in her position, do not you believe that she might have been entirely reformed?—On the previous occasion she was tried at the sessions for attempting suicide, and on that occasion she was sentenced to six months, and I believe that at that time she was attended to by the clergy, and the school-mistress; before that, she could neither read nor write, but she was taught to read a little, and to write a little, because she signed a sort of drawn-up paper as to temperance habits, and she did not know a word before going to the gaol. It was on those grounds that the house was provided for her, thinking that if a provision was made she would entirely reform.

100. Do you not consider that a person feels rather degraded by imprisonment in a gaol, and by being obliged to wear the prison dress, and to work as a prisoner?—Yes.

101. Do you not believe that if those persons were confined in a place set apart for them, they would leave with very different feelings from those with which they leave a gaol?—I believe so.

102. Do you not believe that there are habitual drunkards who cannot resist for the moment taking spirits, who would be exceedingly glad of their own free will to enter such a place for a certain time?—This one case is a case in point;

the woman cannot resist it, I believe; the intellect is so weak that upon the slightest temptation she must go to the drink.

103. She appears to be incorrigible after five years and nine months; but do you not believe that there is a great many persons who cannot refrain from drink who would of their own free will enter such a place for a limited time, to try and reform their habits?—Yes; I believe so; but not if any compulsory work is enforced.

104. And do you not believe that that would be a much less cost to the ratepayers than supporting them in a gaol?—Yes, supposing that they are employed at some profitable labour.

105. It would be a great saving?—Yes.

106. Are you an advocate for the establishment of such a place?—I should be an advocate for its establishment.

107. *Chairman.*] In answer to a question, you said that you would give the magistrates the power to send a person, after several convictions, to a reformatory; have you made up your mind what number of convictions should be requisite?—No, I should not like to answer that question.

108. Do you not think that the earlier you could get hold of a person going into drink, the better chance you would have of preventing his becoming a habitual drinker?—They say that it is best to cut the bud, and that prevention is better than cure, but I should not like to answer that question.

109. Do you think that it would be easier to reform a person who had been a drunkard for five years, than if he has been a drunkard for only five months?—I should think that the shorter the period the sooner he would be reformed, and that it would answer important purposes.

110. *Lord C. J. Hamilton.*] On what kind of profitable labour could you employ women of the class whom you have mentioned?—You could employ women in different ways; in shirt making, in making stockings, and so on.

111. That work would be sufficiently profitable?—Yes.

112. *Colonel Brise.*] Under what Act can you commit for drunkenness without a fine?—Under the Refreshment Houses and Wine Licenses Act.

113. Do you recollect what is the date of that Act?—Yes; the Act passed 14th June 1860.

Mr. HENRY WEBSTER, called in; and Examined.

114. *Chairman.*] YOU are, I believe, the Governor of the Borough Prison of Kingston-upon-Hull?—Yes.

115. How long have you been in that capacity?—Three years.

116. Before that time were you in connection with the criminal population in any other way?—Yes, I was six years in York Castle as deputy governor, and six years deputy governor in Morpeth Gaol, the county gaol of Northumberland.

117. Then, I presume, that you have a thorough acquaintance with the habits of the criminal population of your part of the country?—Yes.

118. Have you been able to connect in your own mind, the repetition of crime with repeated or constant drunkenness?—I have.

119. Do you state that connection to be the crime with the drunkenness, or the drunkenness with the crime; do you think that the crime is the out-come of the drunkenness?—I do. Small offences, petty larcenies, and that sort of offence, are invariably preceded by drunkenness, or I might say, almost invariably.

120. Have you any statistics or returns upon the subjects of the convictions in Hull, say, for drunkenness, and also of riotous and drunken prostitutes, and that form of the offences connected with drink?—I have.

121. Will you have the kindness to state what they are?—The first statement which I have, is of the whole number of convictions in Hull for all offences for 1861 and for 1871; in 1861 there were 1,683, and in 1871 there were 2,025.

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122. Mr. Miller.] That is over the whole year, as I understand?—Yes; the number of convictions for drunkenness out of those total numbers in 1861 were 511, and in 1871, 1,024; I also connect with the cases of drunkenness those of women sent as riotous prostitutes; they are invariably drunk when they are apprehended; in 1861 there were 66 of them, and in 1871 there were 133; the average number for drunkenness in Hull for the last 10 years has been 679.

123. Chairman.] Have you taken these years 1861 and 1871, to show the augmentation of these commitments, and these offences?—Yes; I want particularly to show that the increase in the convictions has chiefly arisen from the increase in the number of beerhouses, and public-houses, a return of which I have.

124. You now go to the total 10 years included within those periods?—Yes, the average; this year we show a large increase upon the average for the last 10 years; the amount is 1,024, which shows a very large increase; the average number for 10 years of riotous prostitutes was 87, and the number this year is 133; the average daily number of prisoners in custody for drunkenness has been nine during the year; the average daily number for drunkenness and for being riotous prostitutes, which connects the women with the men, has been 20; and the average term of imprisonment for drunkenness alone for the 12 months has been 14 days; that is taking all sentences together; I have a return showing the number of prisoners received during the year who have been previously convicted, and the number of times that they have been so convicted.

125. Do you mean convicted for all offences?—Yes; I drew that one up merely to show the ratio with the cases of drunkenness, repeated sentences for drunkenness; I thought that I would show both of them.

126. Will you give those figures?—Forty times and above, one case; 30 to 40 times, one; 20 to 30 times, eight cases; 15 to 20 times, 10 cases; 10 to 15 times, 35 cases; five to 10 times, 57 cases; four times, 37 cases; three times, 62 cases; twice, 103 cases; and once, 241 cases, making a total of 555 prisoners previously convicted.

127. Mr. Miller.] In what period is that?—In the last 12 months; all my returns are for the last 12 months. I have a return showing the per-centage of convictions for drunkenness against all prisoners convicted during the years 1861 and 1871. There were 34 per cent. of convictions for drunkenness against all the convictions of 1861. In 1871 there were 50 per cent. I have also a return showing the number of commitments during the year 1871, of prisoners who had been convicted of felony after previous convictions for drunkenness, showing that the drunkenness comes first; I have brought a memorandum which I got out of the book, in order to point out clearly what I mean. If I pass this up to the Chairman he will be able to see it; I have marked them D for drunkenness, A for assault, and S for stealing. Nearly the whole of the previous convictions terminate in stealing; not great offences, but petty offences. Out of those cases I should think that there will not be more than 15 which do not conclude by stealing.

128. Dr. Playfair.] They commence with drunkenness and conclude by stealing?—Yes.

129. Chairman.] In making those returns,

have you the intention of connecting them with the increased number of public-houses and beer-houses, in other words, the increased facility for taking drink?—I have.

130. Will you give us your statistics on that point?—The population of Hull in 1861 was 106,000. The number of beerhouses in 1861 was 123, and of public-houses 303. In 1866 there were 218 beerhouses and 306 public-houses. In 1869 there were 267 beerhouses, and 303 public-houses. In 1870 there were 290 beer-houses and 306 public-houses. In 1871 there were 279 beerhouses, and 303 public-houses; they could not grant any new licenses last year, which is the cause of the number of public-houses being rather lower this year than before; some of the licenses were taken away, and no new ones have been granted, on account of the last Act of Parliament which was passed, so that the beerhouses are nearly three times as numerous as they were, and the public-houses stand at about the same; they have been shutting them up in the town; property has become so valuable that the old public-houses have been sold out, and the magistrates will not grant new licenses in their places. The increase has been in the beerhouses, from 123 to 290 in 1870, but in 1871 there were 279.

131. Colonel Brise.] Then there was a decrease?—Yes, they have been up to 290; the population is now 121,000, so that the population has not increased in anything like the same degree as the number of beerhouses.

132. Chairman.] Can you inform the Committee what is the cost of the maintenance in prison of these convictions?—Yes; the entire cost for prisons through England and Wales last year was 24*l.* 14*s.* 10*d.* per head; the cost in our prison was 19*l.* 2*s.* 4*d.*

133. Mr. Miller.] That is for each prisoner?—Yes; the cost of diet and clothing alone in all England was 7*l.* 16*s.* 1*d.*, and in our prison it was 6*l.* 12*s.* 4*d.* The per-centage of convictions for drunkenness upon the population in Hull was 54 per cent. in 1861, and 95 per cent. in 1871. I copied a return which was made by the chaplain a short time ago, for some association which wrote some questions to him. He says that 79 per cent. attribute their ruin and downfall to drinking habits; that was taken from the chaplain's notes in going through the cells of the prisoners.

134. Mr. Downing.] Is it 79 within the year?—No, it is 79 per cent. Of the whole criminals 79 per cent. attributed their downfall to drinking habits; 64 per cent. regularly attended music halls and dancing houses, where drink is supplied; 69 per cent. of the persons convicted of drunkenness could neither read nor write; and 91 per cent. of those convicted of drunkenness never went to any place of worship.

135. Chairman.] Those are statistical tables which you will put in?—Yes.

136. Are there any other statistics which you wish to give before we go upon the general question?—No, those are all the statistics which I have.

137. The population of Hull, you state, taking the last Census, to be 121,000?—Yes.

138. Can you tell us how many of those persons who have been committed for drunkenness are tramps; do they form a large proportion of those who are committed?—I do not think that they do.

139. In

139. In your opinion, what is the effect of the existing method of punishing the drunken, and the drunken and disorderly, by short terms of imprisonment?—I think that it is quite useless; I think that it does more harm than good. A man is sent to prison for three, and five, and seven days; a very large proportion of our prisoners are sent for about seven days, although the average is 14; we get a good many two months' men, and that is the reason why the average term is so long; but in the numerous cases of three, and five, and seven days, it is worse than useless; they are entirely useless in the prison, they are unfit for work, and in fact I make a point of not allowing them to go in amongst the regular prisoners until they get the drink worked out of them; they are unfit for it. If I were to put them on the tread-wheel in the ordinary way, of course there are exceptions, but if the general run of those prisoners were put upon the tread-wheel the day after they came in, they would faint, and would fall off.

140. Then you consider them quite unprofitable prisoners?—Unprofitable altogether. They are noisy, and are bad to manage in every way, and when they go out, the craving for drink is just newly created in them; they go out craving for a drop of drink, and are away directly to the public-house at the corner.

141. Have you noticed cases of insanity in prisoners?—Very often; there are a number of cases in this list, which I have taken just as I have picked them out. There were six cases of drunkenness, which were then sent to the asylum; those were sent during the year; and there were two cases of drunkenness, which were not sent to the asylum. I think that we have had perhaps about six cases which have gone to the asylum from drunkenness, but a very large proportion of these prisoners we do not like to have sent to the asylum; it tells against a prison to have many cases of insanity from it, especially a prison for separate confinement, similar to the one of which I am governor; therefore we do all that we can not to get them sent to an asylum. I have at present three or four very bad cases; cases which are quite fit for an asylum, and more fit for an asylum than for a prison; but of course, we allow them to work out their sentences if possible, rather than be at the trouble and expense of getting them removed.

142. You attribute these cases of insanity chiefly to drink?—Yes.

143. Are you now speaking merely of delirium tremens, or the state of acute disturbance which belongs to drink, or are you speaking of persons whose minds are gone, and who are in fact crazy, independently of acute delirium?—I am not at all referring to cases of short commitments of three or seven days, because with those we never take any trouble; we put them into the reception ward, and there they stay the whole time; but I am speaking of cases which have been over and over again. I have marked a few cases, amongst which are Ann Lord, drunk and incapable, 15 times; Elizabeth Kirtland, who has been convicted for drunkenness and stealing frequently; she is quite stupid, and unfit for anything; in fact, her mind has got completely weakened through drinking, and there are a number of cases which I could pick out of this list just from the initials, knowing their names so well.

144. Have you noticed any particular differ-

ence between men and women, as to the proportion of cases, as well as the character of them?—Taking them at the same rate as other prisoners, I believe that the proportion for drunkenness is very much about the same; we generally have about, say, one-fourth; rising from one-fourth to one-third of all the prisoners that we have. I just looked at the return for the year when that question was asked before, and I find that out of 764 cases for drunkenness, 621 were males, and 143 females; that gives you rather under one-fourth.

145. Have you more trouble with your drunken females than with your drunken males?—Generally; they are generally a little worse to deal with.

146. You have mentioned the condition of insanity connected with drink; have you noticed the mental powers of those under your charge for crimes connected with drink, whether they are of a low average, or of an average with the rest of the prisoners?—I do not think that they are lower than ordinary criminals, excepting after they have given way to drink, and then their mind becomes impaired.

147. You do not think that their original mental calibre was lower than that of any other class of prisoners?—I do not at all.

148. But you think that their mental calibre was deteriorated by the effect of drink?—Yes; of course, I do not include the expert thief, who is always a much sharper class of prisoner; he is quite of a different type; but leaving his class out, I do not think that the prisoners committed for drunkenness are of a lower capacity than the ordinary class of prisoners.

149. Have you at all considered the question of what could be done to diminish this tendency to procuring drink; in fact, to reform this class of criminals in any way?—Yes.

150. Will you favour the Committee with your views upon the subject?—I have thought the matter over for years, and my idea is that drunkards are altogether unfit for a prison; they are not the men to be associated with ordinary prisoners, because when they come in for a few times, if they get associated with men who are in for other crimes, they very often meet them in the public-houses, and go to the very places out of which the other criminals come, and of course have a tendency to be led away by them. What I should think would be a very good plan would be, either to make a building in the centre of a county, or to attach a small one to every large prison of a size to accommodate those persons. I would arrange it in a different way to a prison. I would build it with small cells just of sufficient size for a man to sleep in. I would take the men out of their cells in the morning and put them into a large room where all kinds of trades could be carried on under the supervision, say, of one officer to 30 or 40 men; I would not keep them under the silent system as it is at present adopted, but I would allow them to communicate under the supervision of an officer. They would then be able to carry on all kinds of trades, and their labour might be very profitable. After they had earned sufficient to maintain themselves, as far as their food and clothing were concerned, I should allow them to have a share in the profits: I would let them have all that they could make above, say, 6 s. a week; 4 s. is what we are allowed by the Government for food and maintenance, but 6 s. a week would

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Mr. H. Webster. would amply cover all their expenses, and all that they could make over that sum, I would let go weekly to the maintenance of their wives and families outside. I believe that they could earn a considerable sum of money if they were willing to work, and very much more than they ever earn for their families when they are outside; at least more than their families get. I would employ them either at mat-making or at their own trades, if they knew any trade, if not, I should teach them mat-making.

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151. Then, by putting them at this work, you would necessarily keep them there for a very much longer period than any which is now used as a term of imprisonment?—Certainly; I do not think that short sentences can possibly do any good to a drunkard; there is nothing but a long and entire separation from drink which will be likely to stop his drinking habits; but I believe that if you take him away for a long term, say, not less than nine months, there will be more chance of reforming him than in any other way.

152. Of course, one of the great difficulties connected with such a scheme as that would be the maintenance of the men's families whilst they were undergoing this long term; but I see that a part of your idea is that they would earn a surplus, and that that surplus would go to the support of the family if they had one, or would be taken to their credit supposing that they had no family, and would enable a man when his term was over, to leave his imprisonment with something in his pocket to give him the chance of a start?—Yes; I believe that a man could earn as much as would keep his family decently, and rather more than they are kept upon now, if the man liked to work, and work with a will. At Wakefield a "Prisoner's Home" is established for prisoners on discharge. If a man likes to go into this home he goes in: he pays 7s. a week for his maintenance, and all that he can make over 7s. a week he is allowed either to put by for himself or to send to his family until he can find employment. I was in there the other day, and a week before, a man had earned 23s. in the week at mat-making. I believe that the labour could be easily made to be very profitable.

153. Of course in these depôts, as you may term them, or in point of fact what would be reformatories, you would bring the inmates under moral control; and you would bring them under medical control as well?—Yes. It would be a far cheaper plan to build a separate place inside the prison, because there would be nothing required excepting, say, one officer for every 30 prisoners; the governor, the chaplain, and the surgeon, are all there, and it would not be adding much to their duties; it would be taking the class who are now in prison for drunkenness, and putting them into another department of the prison. Then I would have a connection made between this detention house or depôt, or whatever you liked to call it and the chapel, so that they could go to chapel without seeing other prisoners; therefore all the machinery at present exists, and there would be very little expense in it.

154. Have you turned your attention at all to the question of treating the same class of people as those who furnish the prisoners, but who nevertheless have not come under magisterial authority, and attempting anything for them

in the way of inebriate reformatories?—I believe that very few would go, unless they were compelled to go. I fear so.

155. Supposing that such places as those which I speak of existed, and that magistrates had the power to commit persons who were brought before them, simply as drunkards, for a term of reformation in those establishments, do you believe that that would have a beneficial effect in checking this habit; I do not mean outside the prison. At the present moment a magistrate commits a prisoner for drunkenness, or for some offence committed in drunkenness, for a term of imprisonment?—Yes.

156. I mean that he should commit him direct to this portion of the prison, instead of passing through the ordinary prison discipline?—Yes.

157. You would commit him at once to the reformatory department of the prison?—I would never commit a drunkard to prison at all; I would have a separate department for drunkards for a first and second conviction, but it should be in the same house of detention, and they should be separate from the long-sentenced prisoners, who I think should never come within sight of a man who has recently come from his drinking; I would make a reception ward for the drunkards to confine them until they had got the drink out of them, and then I would let them go in amongst the rest, but if they were only in for short sentences they would of course serve their time in this reception ward, and then go out.

158. Have you had an opportunity for observing whether there is any connection between the habits of drinking and the habits of the parents of the parties who have come before you?—As far as I have noticed, I do not think that the children of drunken parents generally rise up to be drunkards; I rather think that the children of drunken parents very frequently come on the streets at a very early age, and are led away by other temptations; they are the very street boys that we have to get into reformatories, or into prison when they are very young.

159. Then you attribute it more to the moral conditions into which the drunkard's child is thrown, than to the inheritance of any particular tendency?—Yes, I think that he does not get the same chance as children of sober parents.

160. Mr. Akroyd.] You were speaking a short time ago of the increase of drunkenness in Hull, which you very much attributed to the increase of beerhouses and public houses?—Yes.

161. That was checked by the recent Wine and Beer Acts, was it not?—Yes, the increase of the beer-houses was very materially checked; I am sorry that I did not get the number the year before the Beer House Act came into operation, but I believe that it was something like 360; I have not got the number for 1868, but I know that it was very materially over the 269 for 1869, because there were a great many taken off, and although a few were put on in 1870, they have been gradually reduced.

162. The effect of those Acts within your knowledge has been to diminish the amount of drunkenness?—Yes, but the beer-houses are so numerous yet, that I do not think that it will tell for some time to come in Hull.

163. You are aware also that, under the recent Wine and Beer House Acts, the police have greater facilities for entering public-houses?—Since those Acts were passed, an Act was passed last year, the name of which I forget, under

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under which the supervision of the police is a good deal extended towards these wine and beer houses. That will have a very great tendency, I believe, to check them.

164. You know also from your own experience, do you not, that with the same amount of drunkenness there were more numerous convictions on the passing of those Acts?—I do.

165. Therefore, although the frequenters of these houses might be more sober than they were before, yet you might have a larger number of convictions; from the fact of giving the police greater facilities for entering these houses, you may have a larger total number of convictions, with a less amount of drunkenness?—Yes.

166. And you are disposed to think that that has been so?—Yes; at present their imprisonments are so very short that the same person comes over and over again in the same year, and that, of course, increases the number of convictions very materially,

167. And, moreover, the keepers of these beerhouses are more cautious than they were before?—Yes, they are now beginning to be very cautious.

168. Therefore, from those two causes, namely, the greater caution of the beer-shop keepers, and the greater facility for the supervision of the police, there is a tendency to diminish drunkenness?—Yes; but you must add to that that the number of beer-houses is very large.

169. Mr. Wharton.] With reference to your suggestion that there should be a separate reformatory prison, you have spoken of the trade of mat-making; is there any other trade which you would recommend the prisoners to be put to?—I would recommend every trade.

170. Shoemaking?—Yes; we have every trade, shoemaking, tailoring, joinery, blacksmithing, and every trade.

171. And you would recommend that a variety of trades should be taught in the large room which you speak of?—Yes; I would have the officer in the centre of the room, and I would put different departments round the room; I would put a man who had any knowledge of a trade to it, and others who had not I would teach either simple mat-making or something else.

172. I understand you to mean that there would be a saving of expense in this way, that there would be a less minute supervision, as far as warders go, and therefore a less number of warders required, and consequently there would be less expense; the expense of watching this class of prisoners would be less than the expense of watching and attending to the ordinary prisoners in separate cells in the gaol?—Yes; and if that detention house was within the prison walls, or in connection with the prison, the expense would be very much more reduced.

173. Each prisoner would cost less under the system which you suggest, than he would under the present system in a prison?—Yes, considerably less.

174. While at the same time he would be making considerably more if he was practising at trade?—Yes.

175. Mr. Mitchell Henry.] How would you define an habitual drunkard?—A man who comes over and over again for drunkenness.

176. You would have convictions first of all?—Yes.

177. What number of convictions?—I think that a man should not be sent for a long term
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until he had been twice convicted, but I do not think that it should be more than that; before a man is convicted he very frequently goes very great lengths, and is drunk over and over again before he is sent to prison; it is very seldom that a man is sent to prison for being drunk the first time.

178. Do you mean that if a man is on two occasions had up before the magistrates, and fined 5 s. for being drunk, you would then sentence him to a long term of detention?—They are generally fined 1 s. in the first instance, and that is nearly always paid; I think that if a man had been taken twice, I would not give him the option of a fine, but would send him to prison, that is to say, if there was a place of this sort; I think that to send a man to prison without the option of a fine ought to be a very serious case, and it generally is; I do not think that the magistrate sends a man to prison with hard labour without the option of a fine, unless it is a bad case of drunkenness, but in those cases, after a man had been twice convicted, I think that he should be sent for a long term.

179. Mr. Downing.] Do you mean to say that a magistrate has the power of inflicting hard labour for mere drunkenness?—For being drunk and riotous; I should think that there will not be more than three out of 20 cases of drunkenness, without being drunk and riotous, and therefore I almost class them together.

180. Mr. Mitchell Henry.] You say that if a person had been twice convicted by a magistrate for drunkenness, you would give him a long term of imprisonment; would you fix any limit of time between the convictions; suppose that he was convicted in 1860, and then again in 1864?—There certainly ought to be a line drawn somewhere; if a man repeats the offence within a short time, there is a greater tendency for him to get into a drinking habit, than if there is an interval of a year or two between the first two convictions; therefore I do not think that a man should have the same punishment after two convictions, which are widely apart, as when the two convictions are within a month or two of each other.

181. You are of course aware, that it very often happens, and in fact generally happens in these cases, that a man who has a great desire for drink is re-apprehended, perhaps on the same day as that on which he is let out, or perhaps after an interval of one day, and is again convicted. Therefore if you sentenced him to a long term of imprisonment after only two convictions, do you think that public opinion would support it?—As soon as a man got out of his first trouble he might get into another very quickly, but as far as my experience goes it comes more gradually upon a man than that.

182. To pass from that point, if a criminal was convicted of some offence together with drunkenness, I mean felony, or anything of that kind, you would punish him in the ordinary way for the felony, or larceny, or whatever it might be, and then if he had been convicted previously of drunkenness, you would sentence him to be detained for a length of time in addition to his punishment, is that what I am to understand?—I think that if he came under the head where the line was drawn and had been convicted twice, he ought to have the same period of detention as another man, although he suffered an imprisonment, which was for the other offence. At present
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sent if a man is taken up for drunkenness, and if then a case for felony is brought against him, I do not think that the charge of drunkenness is proceeded with in the ordinary way; it would be covered by the other offence, and therefore it would not be dealt with at all.

183. What length of time would you consider that a man of this kind ought to be detained in your reformatory?—If there was sufficient to satisfy the magistrates that he was a confirmed drunkard, I think that he ought not to be sent for less than nine months.

184. I thought that you meant for a much longer period than nine months?—That is the shortest period that I would give a man for drunkenness. It takes a month before a man is of much use in the place; he is all burthen and expense until the end of that time.

185. Does not experience show that persons whom you would really call habitual drunkards will often remain sober for nine or ten months, and yet if you desire to cure them they must be deprived of the means of obtaining spirituous liquors for several years?—If a man makes up his mind to be sober, his tastes and feelings are pent up and restrained; but if he is in prison, he has not that feeling at all; he finds that he can live better without the drink, and the idea comes to him that he is far better without it than with it, and he is not in that time resisting the temptation, because he has not the temptation in his way.

186. Then according to that theory, if a person was committed of felony or larceny, and was sent for nine months' imprisonment, he would derive all the benefit which you desire?—Yes; as far as time is concerned.

187. Then you must be prepared to prove that detention in a prison for nine months will cure habitual drunkenness?—And I believe that it does so more than anything; I believe that long imprisonments do more to cure habitual drunkards than anything else.

188. Mr. *Miller*.] I suppose that the discipline of the prison has a considerable effect in bringing that about?—Of course.

189. There is greater regularity and comfort?—Yes; a man would get the same in one of these houses; of course, the discipline of the prison is expected to do something for him, and I believe that it does in a great many instances.

190. As I understand, you could send all people committed for drunkenness into this separate prison?—Yes.

191. And you would keep them there apart from what you would call real criminals?—Yes, altogether.

192. Drunken persons who are sent to prison for seven or nine days are of no use to you, as far as work is concerned?—They are of no use at all; they do not suffer anything; the principal thing to which they object, which we have in our prison, is a plank bed; they cannot bear the idea of lying on a plank bed, but they are obliged to submit to it the same as the rest. That is about the only thing that they do; it does them good; they are refreshed by it; it is usually called a guard bed; it is a board made of about the width of a bed; it is nothing but a board; there is no mattress at all.

193. They can do nothing towards the expense of their maintenance?—Nothing at all; they do not earn a penny; you cannot give such a man

anything to do but oakum picking, and he has not the nerve for that.

194. Supposing that a person of that kind is put in for seven days, what may it cost the district to keep him?—About 10s. or 12s. for the week; about 24l. per head per year.

195. Would it aid in the matter if he was obliged to keep in the prison until he worked that off?—It would waste some time; a man who is an habitual drunkard is not fit for much work until he has been there the greater part of a month.

196. You have said that after the second conviction, you would require a man to come under the character of an habitual drunkard?—Yes.

197. I suppose that in stating that you would look to the antecedents of the man?—Yes.

198. Supposing the case of a fresh man in from the country, and that he gets into some temptation or another, and is committed even twice, say, in a week, or a month, you would not put down that man as an habitual drunkard?—No, certainly not.

199. I suppose that you could judge from the appearance of the man that he was not an habitual drunkard?—It could be detected in the majority of cases.

200. Would there be a safeguard against putting in people who ought not to be sent as habitual drunkards?—Yes; if you look through the books of a prison, you will find very few cases of only two convictions for drunkenness. The number which I have of persons twice convicted is 103; in the next year the majority of those men will be in the No. 3 list, or No. 4; it is very seldom after a man is twice convicted for drunkenness that he stops there.

201. I gather from what you have said that drinking almost invariably, or altogether, ends in crime?—Yes, I believe that it does.

202. Dr. *Lyon Playfair*.] You stated that your chaplain found, by examination, that 79 per cent. of the prisoners attributed their fall to habits of drink?—Yes.

203. Do you coincide with that?—I do quite; I think that that is rather under the mark.

204. Then your belief is that four-fifths of all the prisoners of the country may be classed as habitual drunkards?—No; I could not say that.

205. Or have fallen into crime through habits of drink?—Yes; that is going to public houses, generally.

206. Then would you apply to four-fifths of the whole of the prisoners of the country a law by which you could detain them for very long periods of sentence?—No; because it would not be fair against them; a large number of those very prisoners who are taken in that per-centage, are prisoners who have never been convicted for drunkenness.

207. But who have confirmed habits of drink?—Yes, going to public houses where they meet with their companions; I should think that out of 75 men whom I have from Middlesex, there are not five who have been convicted for drunkenness.

208. To what extent would the new system operate upon the country. If four-fifths of the whole of the prisoners have fallen into habits of crime through drink, and if they have to be kept out of their habits of crime by preventing their drinking is not it a very large addition to the prison system of the country that you recommend?

mend?—No, I do not think that it is so much as that. If you regard the number of convictions for drunkenness as more than one-half the number of convictions altogether at present; by reducing the number of drunken cases of course you reduce the general number of the prisoners.

209. I should rather have said that you would require to convert your system of prisons very much to meet such cases; you would require to convert the system of prisons from a system of punishment, as now followed, to a system of long detention in order to cure such persons?—Yes; the numbers scarcely show an answer to that question. The number of convictions for drunkenness being 1,024 against the whole number of convictions, 2,025; those convictions for drunkenness are in very many instances over and over again during the year, and therefore the number of convictions in the whole country do not show in reality the number of prisoners for drunkenness. By taking away these frequent repetition cases for drunkenness, you very materially reduce the number of prisoners in the country.

210. But do not you very much extend the periods of detention, according to your system?—Yes; but you first reduce the number very materially.

211. You reduce the number of prisoners treated as penal prisoners, but you still keep up the number of prisoners under a reformatory system?—Yes; for cases of drunkenness where you would now have a man coming, say, from six to eight times (we have a good many more cases than that against men in a year), you would only have one prisoner to deal with the whole time.

212. During the whole year?—Yes.

213. You would keep him for a much longer period?—Yes, it would reduce the number of cases.

214. It would reduce the apparent number of committals?—Yes.

215. If the statistics are reliable that four-fifths of the crime of the country is due to habits of drunkenness, is it not a very large reform which you are suggesting?—If it was due to habitual drunkenness it would be so, but I do not think that it is; I think that it is to be traced to drinking habits, but not to habitual drunkenness; not to those prisoners who would be touched by an Habitual Drunkards' Bill.

216. You propose that a second committal should be sufficient to warrant a long detention?—Yes; if you give a man two months, you have four months at once.

217. Colonel *Brise*.] Speaking of the increase in the number of convictions for drunkenness, you stated that it had increased from 511 to 1,024, and I think that you attributed it principally to the increased number of beer-houses?—Yes.

218. Is there any other reason for it that you can give us?—There are other reasons; for instance, this year the increase has been over 200, and I believe that in a very great measure it is owing to the short hours of labour, and increased trade in the town; the men have a Saturday afternoon holiday which is almost invariably spent in drinking; and then the trade has been very good in the town, and of course the men have been able to spend more money, and thus get into trouble.

219. Do you think that any of the increase in the number of convictions, is owing to the energy 0.73.

and activity of the supervision of the police?—That may have a little to do with it, but I believe that that does more to check drunkenness before it comes to a conviction, than it does afterwards.

220. Speaking of the lunatic asylum, what did you say was the average number of prisoners whom you sent from your gaol to a lunatic asylum in your county?—I think that the number last year was five, but I am not quite sure of it.

221. Is that the average number?—I think that it would be about the average; we have an average of about 300 prisoners daily.

222. It is five out of an average of 890?—I gave you 679 as the average number for drunkenness, but our average daily number in the prison is only about 300.

223. You said, I think, that you did not consider that the original mental calibre of these prisoners was lower than that of any other prisoners?—No, I do not think that it is.

224. Is their mental calibre lower at the present time, or do you speak of their original mental calibre?—I speak of their original mental calibre. After becoming habitual drunkards, I think that they are very much lower than the general class of prisoners.

225. You recommend a long separation from drink as the remedy for this evil?—Yes.

226. Would not an imprisonment of nine months, in the case of a man of intemperate habits, have a very bad effect upon his health?—No, I do not think so at all. Prisoners invariably gain weight in prisons, or it is nearly always so; it is short-sentenced prisoners that are reduced; but long-sentenced prisoners are weighed monthly, and it is almost regular that they advance in weight.

227. I think you said that out of this number of convictions for drunkenness, only three out of 20 are for drunkenness merely, and the remainder are for drunkenness and rioting?—I think so; I do not think that there is a very great difference between the one and the other; because a man is almost sure to make a noise in the street if he is drunk.

228. Sir *Harcourt Johnstone*.] You have a very mixed population in Hull?—Yes, they are of all sorts; it is a shipping town, and of course there are a large number of sailors.

229. Have you had opportunities of noticing the respective proportions of the prisoners who are natives of the United Kingdom, as compared with foreigners?—I think that I can tell you the number.

230. I do not mean for general crime?—I cannot give them to you for drunkenness.

231. Or for drunkenness and rioting together?—No; I could easily have taken that out, but I have not done so.

232. What are the proportions in general?—The number of English is 853 males, and 371 females; Welch, three males and two females; Scotch, 31 males and 30 females; Irish, 89 males and 48 females; natives of the Colonies and East Indies, five males and three females; and of Foreign Countries, 61 males and nine females. Those are our numbers for last year.

233. Then the proportion of foreigners is very small?—Yes.

234. You have a very large resident population?—Yes.

235. With regard to sending prisoners to an asylum, have you not had some difficulties in that respect,

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respect, the local asylum not having been completed?—We have an asylum for the borough, in Hull.

236. Those prisoners do not go to the county asylum?—No.

237. Is there sufficient accommodation in the borough asylum?—The asylum in the borough is a very large asylum.

238. You have spoken about the deterioration of mental power; I suppose that you have been able to observe this by taking note after subsequent committals of prisoners; after they have been in your hands more than once, you have been able to observe the deterioration of mental power when they have been convicted of drunkenness?—Yes, and it almost every year so happens that the same prisoners come over and over again, so that you get thoroughly acquainted with them, and almost every year you find that their mental powers are gradually giving way.

239. Do you also find them deteriorating in physique and bodily strength?—Not so much that, because they spend a good part of their time in prison.

240. I conclude that you do not have many of the habitual tipplers in your hands, they get off with an ordinary fine?—Yes, they generally get off with an ordinary fine which they can pay, because they work for a few days, and always have a shilling or two with which they can pay the fine.

241. Have you observed since the reduction of the hours of labour in the last few months, a decided increase in drunkenness?—Yes; about a fortnight ago I was talking to the chief constable about it, and saying that our number of convictions seemed to be increasing gradually on a Monday morning, and he was of the same opinion as I am, that it is owing to the Saturday afternoon holiday in a very great measure.

242. Have you been long enough in your present capacity to observe whether, when employment has been very brisk, there has been more drunkenness, and when employment has been very slack there has been less drunkenness?—I can only refer to the numbers; I have not noticed it excepting in this way. Trade is very busy now, and I believe that we were never so full as we are at present. I believe that the prisons in the country are generally low, but the trade in Hull has been very brisk for some time, and we are now and have been for a long time very full of prisoners.

243. Major Walker.] You mentioned a great amount of general drunkenness in Hull; supposing that you had been brought before a Committee for another purpose, and had been asked what remedy you would propose to check this drunkenness, what would you have put in the first rank as a remedy; would you have put a general stringent carrying out of the Licensing Acts, and so a great reduction of the number of public-houses and beer-houses, or would you have put in the first rank the proposal to establish asylums such as you have sketched out?—It has always been my great desire to get quit of the drunkards out of prison. I have been over 15 years connected with prisons, and they seem to be one of the principal sources of annoyance and trouble in a prison; and although I certainly think that by reducing the number of public-houses and beer-houses, especially beer-houses, you would very much reduce the number of cases of drunkenness; still I think that you would not get quit

of the class until something was done to get them away, either by sending them to a separate prison, or to some other place.

244. Supposing that you had the alternative of a stringent measure, such as I describe, for dealing with the public-houses and beer-houses, or the necessity of establishing these asylums, which would you select as the most likely to effect the greatest reform?—I believe that for the future it would be better to put a very strong check upon the public-houses, but I believe that for the present class of drunkards which you have it would not stop them.

245. Then it would be rather as a matter of temporary necessity that you would establish these asylums to deal with the present generation?—It would be temporary in a great measure, if beer-houses and public-houses were very materially reduced.

246. Mr. Downing.] Did I rightly understand you to say that your gaol was conducted on the separate system?—Yes.

247. That is that each prisoner is kept apart from the others?—Yes.

248. Is a man who is committed for drunkenness treated in the same way?—Exactly the same. If he is sentenced to hard labour he goes upon the treadmill, and he is in separate confinement, excepting that.

249. Did I understand you rightly to say, in answer to a Member of the Committee, that you would send a man to gaol for nine months for drunkenness, after a second conviction for drunkenness?—Yes.

250. Would you apply the same law to all classes of society?—I would after conviction.

251. I suppose that Hull, like every other town, has its market days?—Yes, three a week.

252. We will say that a respectable farmer comes into town on the market day, who drinks nothing for a week, and he drinks a little upon that day, and gets drunk, and does the same the next day, and he is fined; I suppose you would apply the law equally to him as to a poor tradesman?—Yes, if there was a conviction against him. I do not think there would be a conviction in a case of that sort.

253. Why?—Because it is very seldom that a man is convicted for drunkenness, unless he is found drunk in the streets, or something of that sort.

254. Am I to understand you as saying that persons who come in from the country to attend a market, do not get drunk?—I dare say they do, and I dare say we get some of them into prison, but I think in a general way that such a man gets as much as he can well carry, and that is about all. If he got sufficient to make himself in a drunken state, and unfit to move about, I believe that he would be taken the same as anybody else.

255. You would have the law applied to him the same as to a tradesman, a carpenter, or shoemaker in the town?—Yes.

256. And upon a third conviction you would send that comfortable yeoman to gaol for nine months, away from his family?—I would if he got drunk to the same extent as that for which you would convict a poor man.

257. In fact you would make a man who was drunk for a third time in his life an habitual drunkard?—If he had been convicted twice before, then I think he would be an habitual drunkard.

258. Are

258. Are you a member of a temperance society?—I am not.

259. You read the papers very often?—I do, as often as I have time.

260. You see that gentlemen are brought up before the police magistrates for drunkenness?—Yes; I have seen a good many gentlemen in trouble, I am sorry to say.

261. And some of the nobility?—Yes, I have seen them too.

262. Would you have them sent to gaol for nine months?—If the same case was brought against the rich man as against the poor man, then I think that he ought to undergo the same punishment.

263. Do you hope for legislation upon that subject according to your ideas?—No; I do not think that anything of the sort will be carried.

264. You have stated that you would recommend that there should be a large building in the county?—Yes.

265. Or that there should be a separate building attached to the gaol?—Yes.

266. In England, have you not unions for the poor?—Yes, and they are very much dreaded; I believe far more dreaded than prison.

267. Do you not think that the workhouses connected with the administration of the Poor Law might be made auxiliary to carrying out your views?—In a general way no trade is carried on in a workhouse as there is in a prison.

268. May not trades be taught in a workhouse?—Yes.

269. And do you not think that in the case of a man convicted of drunkenness, it would be better that he should be sent to such a place as that, where he would not feel that he was degraded by incarceration in a gaol?—I think that if a place could be built separate from the prison, in connection with the prison, a man would rather go there than to the workhouse.

270. And within the walls of a prison?—Yes.

271. I think you said that the daily average number of prisoners in your gaol was about 300?—About that.

372. And that the average daily number of persons in prison for drunkenness was nine?—Yes; that is owing to the short sentences. The average number of the whole of the criminals in the prison is made up by prisoners receiving such long sentences; for instance, two years; such a man comes upon the books every day in the year, whereas a man sentenced to fourteen days only, stands fourteen times upon them.

273. That would be in the proportion of one to 33 in the daily average?—Yes.

274. I understood you to say that the number of commitments for crimes connected with drunkenness was 54 per cent?—No, what you are speaking of is the chaplain's return; it was a return of convictions against all the convictions, the number of convictions, not the number upon the daily average, but the number of convictions against all the convictions were 50 per cent., that is one-half.

275. Have you any idea of the number of public-houses and beerhouses in Hull?—Yes, this year there is a total of 581; last year there were 596.

276. Supposing that they were reduced by half, do you really think that that would prevent the drunkenness in Hull?—It would prevent it 0.73.

in a great measure, but I do not think that it would anything like prevent it.

277. It is a great thing to get rid of public-houses, to carry out your views?—I believe that if public-houses could be got rid of altogether, there would be very little drunkenness.

278. Are you an advocate for closing public-houses on Sunday altogether?—Yes, quite.

279. There was one answer given by Mr. Smith, about which there must, I think, be some mistake; I understand you that the average yearly cost of a prisoner in England and Wales is 24 *l.* 14 *s.* 10 *d.*?—Yes.

280. And it is something over 19 *l.* in your own gaol?—Yes.

281. You were in the room when Mr. Smith was examined?—I was.

282. Did you hear him say that the average was 13 *l.*?—I did.

283. That must be a mistake, must it not?—I think that he did not give the amount of the cost of the prisoners; if I understood him rightly he said that the general cost was so-and-so, but that if you divided it by the average it increased or decreased according as the number increased or decreased; and his prison being a very small one the cost would be very much more than in ours; if I had brought another return which I have by me, I could have stated the cost of Ripon Prison last year, but I have no doubt it is very much in excess.

284. But he gave it as much less?—Yes, but I think that you misunderstood him. I know that he did not mean that, and that he was not giving you to understand exactly what you have understood from him.

285. Might it not be this, that he did not take into account the clothing, which you put down at 6 *l.* 12 *s.* 4 *d.*?—No, it could not be that; it was everything. I can scarcely explain how it is, but I know that in all small prisons the amount of cost is very much more than in large prisons, because they have a greater average to reduce the actual cost; for instance, there is only one gatekeeper, and one governor, and one of every other description of officer, which decreases the cost, whereas in a small place it is more, but I am sure that you have not the proper amount from Mr. Smith.

286. When you spoke of a drunkard who was in your custody, you stated that on the average the man was of no use for a month after coming into the prison?—I say that he is of very little use; I do not say that he is of no use.

287. Of course you refer there, to a man whose constitution is debilitated by habitual drinking?—I do. I mean a man who comes in over and over again for drunkenness.

288. A man who gets drunk three times in the year would not be such a man?—He would not; but if a man gets drunk three times in the year, you have very little chance of that man turning over a new leaf, and giving it up altogether, unless something is put in the way to stop him.

289. Colonel *Brise*.] You mean if he is convicted?—Yes. It is not that a man only gets drunk when he is convicted; he generally gets drunk a very great number of times before he is convicted.

290. Mr. *Downing*.] I suppose that you receive prisoners in your gaol under warrants for drunkenness, who are really called delicate men unable to work?—Yes; there are some men who are quite unable to work.

Mr. H. Webster. 291. What would you do with the family of a man whose constitution was so broken that he could not work; you would commit him for nine months, and he is totally unable to do anything; he has a wife and six children; what would you do with his family in the meantime?—I believe that he would earn for his family more in the home than outside, and certainly more than if he was actually drinking; therefore, it would be an actual benefit to the family of the man.

292. Therefore you think that every man who comes into your hands, no matter how weakened his constitution may be by drinking, can work in such a way in gaol as to support his family?—I believe that the greater number of prisoners could do so; and I believe that the only reason why a prison is not self-supporting is, that you confine it to the work to which habitual drunkards cannot be applied; you have to keep a man in a separate cell, but upon my plan you would have a lot of men working together; for instance, I would take six men and drill them first into one thing and then into another; I would put them to planing and sawing, and I would teach them a trade if they did not know it, and they would then be of some use when they got out.

293. And during the period while they were in custody, you would look to their safety so as to see that they did not escape, but you would not keep them as prisoners?—I would always have them under supervision, but merely to see that nothing improper went on; I would not at all treat them as prisoners.

294. *Chairman.*] You said that you would send a man to a reformatory for a period of nine months who was a third time convicted; do you mean that you would limit that third time to its occurring within a certain period, that is to say, that a man who got drunk three times in a twelvemonth would be a man to whom the punishment would be harshly applied; but a man who got three times within three months would be a man to whom the punishment would not be harshly applied?—Yes; three times drunk and convicted.

295. So that it would be influenced by the period within which the three convictions took place?—Yes; I do not think that it would be at all fair in the case of a man who had passed some time between the first and the second occasions of his being convicted.

296. By that means you would avoid all the ordinary cases of drunkenness, and the occasional cases of drunkenness and excesses which are met with on market days, and in other ways?—I do not think that very many of those cases would come under it.

297. A question was put to you by one Member of the Committee, whether, supposing that a person was in prison for larceny, that larceny being directly connected with habitual drunkenness, you would make him pass a part of his sentence in the prison and a part in a reformatory; is that so; if the larceny was clearly connected with habitual drunkenness, would you pass him at once to the reformatory part of the prison?—

No; I should be inclined to let the man undergo his sentence for what he had done, although he had been under the influence of drink. I do not think that he should be overlooked for it.

298. If 79 per cent. of crime is attributable to drink, you do not mean that 79 per cent. of the prisoners come into the prison in such a state as to demand reformatory treatment?—Not at all.

299. Of course you would anticipate a certain number of failures in the reformatory?—Yes; you cannot cure some persons, but taking them away would give them a chance of providing for their families better than if they were out.

300. Supposing that you shut up half of the public-houses, and diminish their hours to any extent, they would still lead to a certain amount of drunkenness which would come before you in some shape or other?—Yes.

301. Supposing that you extinguished them altogether, have you any doubt that you would still have some secret drinking, and a number of cases to deal with?—I think not; I think that there would be very few indeed if public-houses could be done away with.

302. You were asked a question as to what would be done with the family of a man in delicate health who was put into prison, and who probably would not be able to earn anything for his family; what is the present condition of the family of a delicate man who cannot work, but who can drink?—They are actually starving, or else are in the workhouse; if they will not go into the workhouse they are actually starving, and the children are being brought up in crime.

303. *Mr. Downing.*] According to the law of England, can the wife and family of a man get relief in the workhouse without his going in himself?—Yes.

304. *Mr. Wharton.*] With relation to the effect of drink on crime, in your experience almost universally in cases of robbery, have not the prosecutors been drunk at the time?—Yes, it is almost invariably that those sort of cases arise from drunkenness on the other side.

305. The prosecutors have been drunk, and have been watched?—Yes.

306. *Mr. Miller.*] Do you find, as a rule, that men whom you would class as habitual drunkards are attentive to, and careful of their families?—Not at all; they are always neglecting them.

307. Therefore putting them under restraint would not materially injure their families?—Not at all, especially if the family could get anything from the man when he was under the restraint, it would be a great benefit in most cases.

308. Would you take it as a rule that the family would be better for having the man in confinement than having him walking about?—I would. Generally the wife now has to work when her husband is drinking, and I do not think that she would have to work any more afterwards.

309. *Sir Harcourt Johnstone.*] Ripon Prison is a very much smaller prison than yours?—Yes, the average is only about ten prisoners, I think.

Mr. WILLIAM SMITH, called in; and further Examined.

Mr. W. Smith. 310. *Mr. Downing.*] I ASKED you the question what was the average cost of the maintenance of a prisoner in your gaol for 12 months, and you answer about 13 l.?—I thought that you meant

the annual cost generally of prisoners in all the prisons in Yorkshire.

311. I said Ripon Gaol?—I told you, I think, that it depended upon the average number of prisoners.

prisoners. Mr. Webster has just remarked that the average number is 10; probably the year before there were 15 daily, and that makes a difference in the average cost.

312. We have heard from the last witness that the average cost in England and Wales is more than 24*l.*, and it appears to me very strange how the amount is so low in your gaol?—You are

taking the average of England and Wales, but you did not ask me that question.

313. I ask you it now, do you wish to give any explanation to the Committee as to the average cost of a prisoner in your gaol?—In Wakefield I believe that it runs about 14*l.*, and in our gaol about 25*l.*, and some years considerably more.

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Dr. ROBERT BOYD, called in; and Examined.

314. *Chairman.*] You are a member of the Royal College of Surgeons of England, a Doctor of Medicine of the University of Edinburgh, and a Fellow of the Royal College of Physicians of London?—Yes.

315. You were formerly resident Physician at the Marylebone Infirmary?—Yes.

316. And you were the late Superintendent of the Somerset County Lunatic Asylum?—Yes.

317. During the period in which you have officiated in the latter capacity, that is to say, as I understand, during 20 years, in nearly 12 per cent. of the males, and two per cent. of the females sent to the Somerset Asylum, the cause assigned was intemperance or drunken habits in the males?—Yes.

318. And that was the most frequent cause of that malady with the exception of hereditary predisposition?—It was.

319. You prefer, I presume, by having placed this paper in my hands, that I should put the questions to you from what you have here noted down?—Yes.

320. The following may be taken as a summary of 185 cases in males which came under your care in the asylum; one under 20 years, 27 from 20 to 30 years, 51 from 30 to 40 years, 58 from 40 to 50 years, 27 from 50 to 60 years, 20 from 60 upwards, and one unknown?—Yes, that is the case.

321. Those are the cases of insanity due to intemperance?—Yes.

322. The civil conditions of these parties were, that 99 were married, 65 were single, 20 were widowed, and one was not known?—Yes.

323. The great majority of those persons were mechanics, farmers, and persons above the position of agricultural labourers, of whom the inmates of the asylum generally consisted; the inference, therefore, being that the cases insanity resulting from drink were not amongst the lower order of your patients?—Quite so.

324. One hundred and twenty-four were admitted labouring under a first attack of insanity, 40 from a second, nine from a third, two from a fourth, one from a fifth, and three from a sixth, and in one case the numbers of attack were not known?—That is so.

325. The duration of the disorder previous to admission in 28 cases was one week; in 21 cases two weeks; in 31 cases from two to four weeks; in 33 cases from one to two months; in 18 cases from two to three months; in 18 cases from three to six months; eight cases from six to nine months; in two cases from nine to 12 months; in 10 cases from one to two years; in six cases from two to five years; in three cases from five to 15 years; and seven cases were not ascertained?—Yes.

326. Relapses occurred in 34 individuals from one to four times; as to the form of disorder 0.73.

there were 33 cases of delirium tremens; 99 cases of acute mania; 16 of melancholia; eight of dementia; six of epilepsy, and 23 of general paralysis?—Yes.

327. And the result of these 185 cases was that 110 recovered, 63 died, and 12 remained under treatment?—Yes.

328. Of the fatal cases, in 28 the form of the disorder was mania; in three, melancholia; in seven, dementia; in two, epilepsy; and in 23, general paralysis, which is a most fatal complication, resulting from inflammation of the brain and of the spinal cord?—Yes.

329. In these as well as in other of the fatal cases in which abnormal conditions, such as thickening of the membranes of the brain were found, it is not improbable that the intemperate habits may have been induced by cerebral disease?—Yes.

330. That is to say, you put the intemperance as the outcome of the cerebral disease?—Yes, in those cases.

331. The late Mr. Wakley, the coroner for Middlesex, at inquests held at the Marylebone Infirmary, has stated, in your hearing, that in his experience symptoms of insanity had preceded drunken habits?—Yes.

332. As to the state on admission of these patients 21 were restless and excitable, 14 were reported as dangerous to their wives, 18 as suicidal, 49 as dangerous to others, 17 as dangerous to self and others, eight as destructive to property, 34 as violent, five as noisy, four as quiet; and in 16 there was known to be an hereditary predisposition to insanity?—Yes.

333. The following, copied from your Annual Report of the Somerset County Asylum for 1864, relates to this hereditary taint, and two cases of homicidal insanity sent to the State Criminal Asylum at Broadmoor. "Amongst the cases of admission there were two attended with peculiar circumstances, one of mania from intemperance, and the other of delirium tremens, both having hereditary pre-dispositions to insanity. The first man, T. M., last Christmas, when he had been drinking, suddenly awoke one night, and desired his wife to get out of the way lest he might injure her. He had had recent delusions as to the devil coming up stairs, and angels visiting him. He violently assaulted a boy sleeping in the house, and nearly killed him; the boy lost one eye from the injuries he received. T. M. recollected the circumstance afterwards, and stated that the boy got under the bed out of his way. The occurrence took place in a neighbouring village, and the policeman procured assistance and brought him at once to the asylum, where it required five or six persons to control him, and he continued excited for 12 days. His grandfather, and another near relative on his father's side, committed suicide." That man soon re-

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covered, was tried for the assault, and was finally committed to the asylum at Broadmoor. In the second case, "T. P., a prosperous man in his business, gave way to intemperance for weeks together, drinking large quantities of ardent spirits; at other times he would abstain altogether for months; he was brought to the asylum having displayed considerable violence, and also attempted to stab his daughter; his brother some years ago killed his wife, whilst in a similar state of delirium tremens, for which he is also in Broadmoor Asylum, confined for life," where you saw him a few years ago quite recovered; T. P. recovered after a few weeks, he was discharged on probation, his name however was retained for several months on the books, and the police had directions to bring him at once to the asylum should he have a similar attack?—Yes.

334. That is a resumé of the facts within your experience bearing upon this question?—Yes.

335. You have placed in my hands a report of cases of insanity from intemperance, or drunken habits, admitted to the Somerset Lunatic Asylum, during 20 years, showing the age, civil state, occupation, duration of attack, and form of disorder, and the results. It is not of course proposed to read this report *in extenso*?—No.

336. But what is required is to make a total of the cases; have you that elsewhere?—That is what you have had already read.

337. You have put in this Table as an explanation of your summary?—Exactly so.

338. Have you found persons of an irritable frame, and a nervous excitability, generally more prone to fly to stimulants than others of ordinary temperament?—Yes; I think that people suffering pain very often fly to stimulants for relief.

339. Have you formed any opinion other than that which has been expressed in your paper, whether insanity results from drink, or whether the habits of drink are due to insanity; which is the first in the chain of cause and effect?—Of the 63 cases examined, which died in the Somerset Lunatic Asylum, the majority had disease of the brain prior to their continuous habits of drink.

340. From your connection with asylums, do you consider an inebriate a proper person to be sent to a lunatic asylum as an insane person; I mean a person purely an inebriate, such as those persons sent with delirium tremens, and so forth?—They are not usually sent; it is against the law to send mere inebriates to an asylum, unless there are some grounds for insanity besides drunkenness.

341. In that case, have any remedial or preventive measures with regard to this class of persons suggested themselves to you?—Unless they criminate themselves by some act, I do not see how we can dispose of them, unless they go

voluntarily as boarders to an asylum, or some such place.

342. Colonel Brise.] As to the lunatic asylum in your county, you say that the inmates are chiefly mechanics and farmers, and people in a better condition of life than the agricultural labourer?—Yes, the inebriates; those who are of intemperate habits.

343. Not all the inmates?—No, the majority are agricultural labourers.

344. Sir Harcourt Johnstone.] From your experience, in the majority of cases does the drunkenness produce insanity, or is insanity the precursor of drinking habits?—I should think that in the majority of cases, perhaps, the drinking habits produce the insanity.

345. The insane become so from the habits of drinking?—Yes, I think so, as a general rule. In a great number of cases symptoms of insanity precede the drinking, but I should think that in the majority of cases it is the reverse.

346. Colonel Brise.] Did not you, in answer to the Chairman, say that 63 cases of drunkenness to which you alluded were owing to diseased brain?—Yes, out of 185.

347. Major Walker.] Taking your general experience medically, and not limiting yourself strictly to the question of the insane; taking your experience in the infirmary at Marylebone, as well as your experience of the insane especially, do you take a hopeful view of the chance of curing a large proportion of persons who have once given way, so far as to become habitual and regular drunkards by a course of long detention, or otherwise?—I think that long detention would be the only chance.

348. But would you look upon it as a forlorn hope, and that you would only cure a small proportion, or should you be sanguine that you would cure a large proportion?—I have no data upon which to form an opinion.

349. Mr. Wharton.] Supposing a man to be brought up before the magistrates who had been convicted of drunkenness, say, five times in the course of a year, and that that man was by law to be sent to some prison, or part of a prison which we have heard described, where he might work at a trade and so forth, how long a period of such imprisonment would you assign as a likely period to cure him of this habit, a month, or 12 months?—As a rule they recover quickly in those cases from drunken habits, but I have never seen much good done in less than three months; three months is the shortest time.

350. If it was in your power to send that man for a period of incarceration in such a place as that, how long a period would you give?—I should think six months at the least; we always allow three months probation after a patient is discharged from an asylum before we certify as to his recovery.

Tuesday, 12th March 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Colonel Brise.
Mr. Donald Dalrymple.
Mr. W. H. Gladstone.
Lord Cland John Hamilton.
Sir Harcourt Johnstone.

Mr. Miller.
Mr. Clare Read.
Mr. Henry Samuelson.
Major Walker.
Mr. Wharton.

DONALD DALRYMPLE, ESQ., IN THE CHAIR.

Mr. WILLIAM WHITE, called in; and Examined.

351. *Chairman.*] YOU are a medical practitioner residing in Dublin?—I am an Apothecary, residing in Dublin, and have been acting as a general practitioner for a great number of years.

352. You have been 40 years in practice?—Yes, and upwards.

353. And you have been, for 13 years, one of the coroners for the city of Dublin?—Yes.

354. During that period you have, I presume, seen many of the results of unchecked intemperance?—A great deal, indeed.

355. I will first ask you to give the Committee the result of your experience as coroner?—During 10 years for which I have returns, I find that I have held 1,070 inquests; that is at the rate of 107 a year. Of these cases 40 were suicides, which was an average of four suicides in the year; but of these 40 suicides there was only one which was directly set down by the coroner's jury as the result of intemperance. There were 40 suicides, one of which resulted from delirium tremens; that is the only one in which the death was attributed directly to drink.

356. Have these verdicts been commonly "Suicide during temporary insanity"?—Nearly all those suicides have been during temporary insanity arising from drink; but juries, I find, are disposed to be satisfied with the temporary insanity, without going into the primary cause, lest they should inflict injury upon the surviving relatives.

357. That being the verdict of the jury, your conclusion in the matter, as the result of evidence which has been either given upon oath, or with which you have been acquainted upon the inquest, has been that the suicides have resulted from drink?—Precisely; either from what has been given upon oath, or what I have observed.

358. That is so far as relates to suicides; with regard to homicide from acts of violence, have you any records of deaths from violence, those acts of violence having been inflicted by parties under the influence of drink?—No, I have made no analysis of them for that purpose; because that is made annually in a return to the Lord Lieutenant, by the Lord Lieutenant's direction, by a gentleman who keeps the Criminal Statis-

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tics, namely, Dr. Hancock; he has these cases all tabulated, but I have kept no tabulated copies of them.

359. Among this large number of inquests, of which a great proportion of course have been from accidents, and so forth, have you been able in any way to trace those accidents and deaths to drink?—Very many of them; very many of the accidental deaths have arisen either from drink on the part of the persons who have lost their lives, or on the part of those who have inflicted the injury either by car-driving, or from accidents of that kind.

360. In those cases arising from drink, have you any knowledge of whether it has been ordinary drunkenness, or whether it has been drunkenness of a more prolonged and habitual character?—In the case of accidents produced by others such as car-drivers, and so on, they have been temporarily under the influence of drink; but in the case of others who have met with accidents by falling, and injuries of that kind, it has generally been the result of continued drinking.

361. In your official position, as coroner, have you any acquaintance with the frequency of habitual drunkenness amongst the population of Dublin?—Yes; I should say that the number of deaths reported to me by the police may amount to about three times the number upon which I hold inquests, and there are a far greater number who die from the effects of drink, on whom I do not hold inquests, than those on whom inquests are held. If a man dies in his own family surrounded by his friends, and if I find that no injury has been done to him by any person about him, and that the family have a knowledge of the cause of his death, I do not deem it necessary to hold an inquest.

362. Then if you did not take that evidence, you might very largely multiply your inquests upon persons dying from the effects of drink?—Largely; all what are called sudden deaths are reported to me and to my colleague; there are two coroners who divide the business equally. I am the senior coroner for Dublin. In a case where we find that the death has been simply from drink, but where no injury has been done

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by any person, we do not deem it necessary to hold an inquest.

363. Will you give the Committee your experience as a medical man, independently of being a coroner, of the prevalence of frequent and excessive drinking?—Of course I have met with a great deal of it, and with the very bad effects arising from drinking, and I think that these bad effects rather increase, or in fact that the drinking is on the increase; and the result of my observation is that it is more on the increase amongst what we understand by the better classes of society. I should say that drunkenness is getting up in the social scale; it is getting higher.

364. Have you given your attention to the connection between constant intemperance and diseases of the brain and nervous system?—I think that the most frequent cause of congestion of the brain with adults is the use of intoxicating liquors.

365. Do you use that term as affecting the other diseases of the brain and nervous system, than pure insanity, or are you alluding to insanity only?—I am talking of the physical congestion of the brain causing death, or causing bad effects, delirium tremens, and so on.

366. You mean by that such things as apoplexy from excessive drinking, and so forth?—Yes, and the entrance of the blood to the vessels of the head, which frequently causes death.

367. Have you found that the suicidal cases are committed during the period of melancholy which succeeds the exhaustion of a debauch, or during a period of frenzy and excitement caused by excessive drinking?—More frequently during the frenzy. I think that the cases (which are not many) where suicide has been committed during the period of depression after drinking, have occurred with soldiers. I have had some soldiers who have committed suicide during their depression after their debauch.

368. Do you imagine that that is from the fear of what is to happen to them in their capacity as soldiers?—On account of its occurring principally with soldiers, I should say that it was from some dread of that kind.

369. In cases of homicides, or of acts of violence, are they most frequently committed during the frenzy of intoxication?—I think that they are more generally committed during temporary intoxication. I think that men with delirium tremens very rarely commit homicides.

370. Have you been able to trace the connection between habitual intemperance and previous disease, independent of habit?—I have not, if I understand you rightly.

371. Have you noted, or are you of opinion, that there has been a previous disease of the brain, or of the nervous system, which has been the excitement to drink?—No, I have not observed that, but cases have come officially under my notice, which show me that scrofula has a great deal to do with crime, for I find that almost all the prisoners who die in the Government prisons are affected with scrofula, they having had it early in life, or having it on them at the time when they die.

372. Have you formed any opinion as to whether persons who are constantly coming before the magistrates as drunk, or drunk and riotous, or drunk and abusive, and so forth, are reclaimed by the committal to prison, and to the labour which is inflicted upon them in prison; do you think that as a sentence it answers its pur-

pose?—I cannot speak to that. I seldom know much about the police courts, but I know that there are habitual drunkards who are missed off the town during their period of imprisonment, who are sure to be on it again.

373. You know as a fact that they have frequently come up again and again for the same thing?—Yes.

374. Do you think that there would be any difficulty in a competent medical man distinguishing between the drinking which is the result of a bad habit, and that which is the result of disease?—I do not see how it could do that.

375. Will there be more difficulty in distinguishing that than in distinguishing any other form of diagnosis which a physician has to make?—I cannot see how that could be done. A great number of those who drink are otherwise healthy people.

376. Have you given your mind at all to the consideration of what can be done to deal with this class of cases which we are considering?—I do not know what can be done, but I know the difficulty which exists at present with us.

377. That is as the law now stands?—Yes.

378. But we are considering what can be done to improve the law?—Although we know that restraint would give a chance of a man on the verge of delirium tremens, or in delirium tremens, recovering, although he is mad during the time that he has delirium tremens, if he is committed to a prison as a lunatic, or committed to a lunatic asylum, as soon as he gets sober he finds that he has been badly treated, and he will bring those people who have had to do with him into trouble by an action for false imprisonment, or some such thing.

379. Then you think that if you could keep a man in health from drinking, for the sake of his physical health, you would improve his chance for the future?—Decidedly; I have in my mind the instance of a gentleman, a professional patient, and if I could restrain him I would.

380. If you had in your private practice to deal with a man who was habitually given to drink, you would do all you could to keep him away from it for a sufficient length of time?—I think it most desirable to give him every opportunity of getting thoroughly sober, if that can be accomplished.

381. The question which I put to you is as to the means, after he becomes sober, of keeping him sober?—What I mean by thoroughly sober, is not exactly when the fit of drunkenness is over, but to keep him without drink for such a time as that his moral condition will be improved; for when a man gets sober, and is apparently relieved from the direct effects of the drinking, there remains the craving which he cannot account for, and which he cannot control, but he will satisfy it.

382. Are the statistics which you stated at the commencement of your evidence the only statistics with which you are furnished?—Yes, because the returns made by every coroner in the island to the Lord Lieutenant, through Dr. Hancock, who has the office for criminal statistics, are always considered as available.

383. Mr. Akroyd.] You mentioned in your evidence that you had official experience of 40 deaths by suicide, and that of those deaths only one was directly attributable to intemperance, namely, delirium tremens; but I did not quite understand how many of the remainder of those cases of suicide were

were caused by drunkenness; can you state that?—There were 40 cases of suicide, and one which was a death from delirium tremens, not exactly suicide, and that is the only one which I find in my tables returned by the verdict as arising from drink. Although I know that these suicides were the consequence of drink, juries are not anxious to go further than a verdict of temporary insanity, although they probably guess that the true cause in those cases is from drink.

384. How many of the remaining 39 cases of suicide do you know to have been caused by drink?—As well as I recollect, I should say that two-thirds of them were from drink, if not more; I would say that three-fourths of them arose from drink.

385. You are aware that this Committee is inquiring into habitual drunkenness; do you know whether any of these cases of suicide were caused by habitual drunkenness, as distinct from occasional drunkenness?—I should say that the greater number of them were from habitual drunkenness.

386. Going to your private practice, have you yourself had personal experience of habitual drunkenness, and the various phases of that disease?—I should say that the same thing holds, that it is an habitual drunkard who is more likely to commit suicide than a temporary one.

387. Within your own experience, have you had many private cases of habitual drunkenness in which you have been called in?—Yes, I have attended a very great number of habitual drunkards.

388. Mr. *Wharton*.] Are you aware that there is an alteration in the law with respect to habitual drunkenness in the army, namely, that the punishment of imprisonment is done away with, and that fines are substituted. Have you found that to affect the cases which you have described to us as happening amongst soldiers?—No, I know nothing of the military business, excepting as to soldiers who come under my attention.

389. It is only during the last year I believe, that the law has been altered; and habitual drunkenness in the army is now punished by fine, instead of by imprisonment. Have you noticed any effect proceeding from that circumstance in the way of decrease?—I certainly have not had the suicide of a soldier during the last 14 months.

390. In the case of an habitual drunkard, if the man was kept under restraint in a ward attached to a prison, and was not kept separate, but was allowed to be with a number of other people also under restraint, and was made to work in a ward under the casual supervision of a warder, do you think that nine months' restraint in a ward of that description would be likely to convert that man from an habitual drunkard into a sober man?—Nine months would be a very long period to give a man for a thing of that character.

391. You think it too long?—I do; I think that if it did not succeed in a month it would scarcely succeed in a very long period.

392. You think that a month's restraint would be sufficient to eradicate the tendency to habitual drunkenness?—I should say that a month after a debauch would give a man time to get his mind into a better state; but I am afraid that if you kept a man for a long period, he would immediately on getting out enjoy himself by drinking for the very purpose of enjoying his liberty; that would be the result amongst the uneducated classes. If the provisions of your intended Bill

extended to the better class of society, professional men and so on, I should say that even a month would be a very long period for a professional man.

393. Mr. *Read*.] You said that there were two coroners in Dublin?—Yes.

394. Do the statistics which you have given us refer to those inquests which you have held yourself, or to those held by yourself and your colleague?—To inquests held by me alone.

395. Would your colleague have about the same number of inquests?—He has been but a short time in office; he would have about the same number for such time as he has been in office.

396. You have said that there is an increase of drunkenness in Dublin?—As a general observation, I think that drunkenness is increasing amongst the better classes.

397. Do you mean the middle classes, as distinct from the labouring classes?—As quite distinct from the labourers; I mean such as shopkeepers, and professional men, attorneys and barristers.

398. Is it confirmed to males, or does it extend to females in any way?—I believe that it is on the increase with females; I have not seen so much as to say that it is much increased amongst them.

399. In what class of drink do these persons as a rule indulge?—They generally take wine; they commence with glasses of sherry, and then they are apt to pass on to brandy, and then brandy and soda water, and then they are on the direct road.

400. You do not think that the increase of drunkenness in Dublin is due to the increased consumption of beer so much, as of ardent spirits?—A great deal of beer and porter is consumed in Dublin by the working classes, but I do not think that the drinkers of beer, as a rule, ever get to that state of excitement.

401. Mr. *Akrigg*.] Is much whisky drunk?—A great deal, but in speaking of the better classes they commence with sherry, and then they pass on gradually.

402. Mr. *Read*.] Is it a rule with the medical men in Dublin, to recommend a large quantity of sherry, or any quantity of sherry to their patients?—They recommend sherry; wines and brandy are now ordinarily used in what we called typhoid diseases, fevers, and small-pox, and those complaints, which was a thing unknown at the commencement of my career in the profession.

403. Do you attribute the drunkenness in any way to those recommendations?—They must have an indirect effect upon it, because if a medical man encourages drink in one case, his opinion is apt to be appealed to in a great many others.

404. You have noticed cases of scrofula in the prisoners in the Government prisons; is that the result or the cause of drink?—I cannot tell how it was produced, but it has forced itself upon my observation, because I have visited those prisons, and that is the case in them. I invariably find that the prisoners die either directly of scrofula, or of something arising from it, such as consumption.

405. Would a person afflicted with scrofula be more likely to drink than a person in good health?—That I cannot say.

406. Colonel *Brise*.] I think you said that men

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men under delirium tremens very seldom commit homicide?—Very seldom.

407. Do they often commit suicide?—They do, but they are cowardly, and seldom have courage to attack anyone.

408. Can you state whether any of the middle classes who are so intemperate as you have spoken of are often convicted as habitual drunkards?—Scarcely ever; they are generally restrained in their own houses. For instance, the gentleman to whom I have alluded has had delirium tremens three times in his own house, and he is going on to it now; he is pretty near to it, although he is perfectly rational, but he tells me that he cannot restrain the craving for drink. He knows what is before him. That is a man who, I think, if he got a month's compulsory detention from drink would be so benefited by it, that he would be able to keep himself from drinking for a very long time.

409. Lord C. J. Hamilton.] Is he an unmarried man?—He is a married man; a professional man in very good business.

410. Colonel Brise.] Are there often convictions in Dublin for drunkenness?—Very frequently amongst the lower classes; a great number are brought up every morning before the divisional magistrates.

411. How would you define an habitual drunkard; would you do so from the number of convictions against him?—The professional man to whom I refer as being an habitual drunkard was never convicted at all; but amongst the lower classes we know the habitual drunkards from our observation. I live in a district where I have a great opportunity of seeing the working classes, and I know the habitual drunkards amongst them. I see them going about, some in some weeks unfit to attend to any business; others are constantly convicted and sent to prison, and are sent out again.

412. Mr. H. Samuelson.] Do you think that the professional gentleman, whose case you have just mentioned, would go voluntarily into an inebriate asylum, if such an establishment existed?—I think that if there were such an institution there are times when he would not object to it; when he would know that the desire for drink was coming on him, and that he would not have the moral courage to resist it.

413. Do you find that, as a rule, habitual drunkards are seriously anxious to be cured of drinking?—Yes; they always have the desire themselves to refrain from it, and they make ineffectual efforts to abandon the drink, but the craving comes on which they cannot resist, and they will not resist it.

414. Would you call habitual drinking a disease, like any other disease?—I scarcely can call it a disease.

415. Do you not know cases of habitual drinking which recur at regular periods?—No, I do not; I know that there are men who will take the pledge, or the promise for a certain time, and at the end of that time they will take a regular booze again.

416. Do you think that any habitual drunkards are incapable of being cured?—I think that they are capable of being cured.

417. Do you think that they are all capable of being cured, or what proportion of them do you think are capable of being cured?—I could not state that; but when such vast numbers of habitual and inveterate drunkards were redeemed

from drunkenness by the moral influence of Father Mathew in my own day, and were cured, I must look upon it as a curable disease, because the working classes, almost to a man, became teetotallers at that time, and remained so for a very long period.

418. Do you think that a month's seclusion would be enough to cure habitual drunkards?—It would not cure them, but there would be some cases in which it might be weakened by that seclusion.

419. Do you think that it would break them from the habit of drinking, or merely recover them from the effects of it?—I cannot state the exact time which would break a man from that habit; my notion is that it would be desirable to keep him from drink for such a time as that his mind would get into a proper state, and that he would feel the advantages of sobriety, which he would learn during that time.

420. If a man has recovered from delirium tremens does not the first sight of liquor again tempt him to break out?—No, after a severe attack of delirium tremens they become broken down and helpless; they are then under the control of their friends for some time until they commence drinking again.

421. The fact is, that they are amenable to discipline because their minds are weakened?—Yes.

422. Major Walker.] You have stated your opinion that there is an increase in habits of intemperance among rather the upper classes of Dublin; that is somewhat contrary to one's opinion as regards the country generally. Is there any reason which you can assign for it specially in Dublin; can you say why there should be this increase as compared with the decrease in the country generally; you do not attribute it, except indirectly, to the medical prescription of stimulants; can you suggest any other reason?—I did not lay much stress upon the medical recommendation of stimulants; I only said that if medical men prescribed them in one case, their sanction of drink in any case would encourage people to take it in others; but it is merely an observation, and as the result of conversation with my friends, and of my observation, I have come to the conclusion that drinking has considerably advanced among the better classes.

423. Do you think that the cause of that may be principally their being more flush of money than usual, or is it from the increase of the numbers of places of entertainment, or have you any theory which you can give us?—There is something with regard to the places of entertainment, because latterly they have been got up in a better style in Dublin. Men who formerly would not go into a tavern of any sort, now go in there in the middle of the day to get their lunch, to get their oysters, or their sandwich, and their glass of ale, or their glass of sherry; so that going into a public-house does not bring people into the ordium which it did 20 or 30 years ago or 40 years ago particularly.

424. Lord C. J. Hamilton.] Do you think that this increase exists beyond Dublin?—I only speak of Dublin.

425. Mr. H. Samuelson.] You have said that you have found many prisoners die of scrofula; do not you think that one reason of that is that scrofula is very widely spread among the lower class of the population?—Yes, it is very generally spread, and the children of drunkards, and of the

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wretched and dissipated of the very lowest class, would be almost sure to have scrofula.

426. Are almost all the families of the very poor and indigent scrofulous?—Not those who are very poor; but I should say that it was more the result of dissipation.

427. When I say very poor, I mean the very lowest class of the population?—In the case of the class who have poor food, and irregular food, wretched dwellings, and an almost total want of cleanliness, their offspring will certainly be scrofulous.

428. It is the rule, and not the exception?—It is.

429. Lord *C. J. Hamilton*.] Does not that very much proceed from the appearance of venereal disease in the family?—No; if a scrofulous person got venereal, there would be a very ugly complication in his constitution.

430. Mr. *Miller*.] The class which you speak of is the unskilled labour class?—Yes, the lowest class.

431. Do you find the same thing in the skilled labourers and mechanics as to scrofula?—Not so much in the skilled class.

432. I suppose that they are better fed?—Yes; and they can afford better lodgings, and are better clothed. The skilled labourers are more regular in their habits; their employers will make them conform to more regular hours, which I think is very important.

433. Have you had much experience with unskilled labourers?—A good deal.

434. Have you found that any of that class (which used to be very common in Ireland, I do not know whether it is now) take the pledge?—These temperance societies do not now exist at all to the extent that they did; there is not a tithe of them existing.

435. I speak with reference to the answer which you gave some time ago; you find in your experience that men who have taken the pledge keep sober, for perhaps several months, and break out again just as violently as ever in the way of drinking?—Yes; those who take the pledge are very apt to get very bad again.

436. What effect would that have upon your opinion as to restraining a man for a month?—It goes a little against restraint at all.

437. *Chairman*.] In your practice as a medical man, you of course have come in contact with cases of continued inebriety amongst the upper classes?—Yes; but my practice does not extend amongst the upper classes beyond what are called the professional classes; I am in the poor part of the city.

438. Have you had any acquaintance with any institutions which have been established for the purpose of trying to reform drunkards?—No; there is a hydropathic establishment at Blarney, in the county of Cork, where they allow them no drink, and some people have gone there.

439. In the middle classes, have you not come in contact with a form of mania which has shown itself in keeping sober for six or eight months, and then going in for a regular bout of drinking?—Yes; there are those who take a bout of drinking; they are considered not the poorest class of tradesmen; they will take a bout of drinking, and then go off it, and become sober again.

440. As a matter of opinion, if there were some means of keeping persons of that description for a sufficient length of time from access to drink, do you think that you could, or that you could not, reclaim those persons as you could cure any other form of nervous disorder?—I cannot say; I was only viewing the case as having reference to those who had temporarily lost their mind by drink, getting into delirium tremens, or into a state approaching to delirium tremens, in which they have lost the control of themselves; but I do not exactly know at what point you would interfere with a man who was becoming a drunkard.

441. Mr. *Read*.] With regard to this increase of drunkenness, is it a convivial and jovial sort of drunkenness, or is it a secret and a sottish one?—It is more a secret one arising, as I think, from the habit, which is new, of taking lunch at those taverns in the middle of the day, and then taking glasses of sherry, and so on.

442. And you think that that is more likely to produce an habitual drunkard than a sort of jollity?—Most decidedly. In my experience, I do not think that I ever knew a man get delirium tremens, who had not drunk before dinner; and I have known men who could drink afterwards.

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Dr. JAMES CRICHTON BROWNE, called in; and Examined.

443. *Chairman*.] You are a Physician, I believe, and Superintendent of the West Riding Asylum at Wakefield?—I am.

444. How long have you held that office?—About six years; I have been connected with different asylums in this country for nearly 10 years past.

445. What is the average number of patients on your books at Wakefield?—I have always 1,500 lunatics under my care.

446. Have you given your attention especially to the connection between disorders of the brain and habitual drunkenness?—I have, and specially upon two occasions.

447. What form did your investigation take?—In the year 1868 or 1869, at the request of Archdeacon Sandford, the Archdeacon of Coventry, I made a statistical investigation as to the connection between drunkenness and insanity in the West Riding, and I went over 500 cases at that time; I went carefully into the history of

500 cases of lunacy, and I found that, of these cases, 75, or 15 per cent., were directly due to drunkenness; I say "directly," because there is a great distinction between being directly and indirectly due in cases of insanity. Of course a large number of cases of mental derangement are indirectly due to drunkenness, as in the case where a drunkard transmits a weak nervous system to his offspring. I have no doubt that that is sometimes the case; in fact Dr. Howe, of Massachusetts, states that out of 300 idiots, 145 had drunken parents, and I suppose that the same has been shown in the history of lunatics and criminals. Then we have cases in which injury of the head has been sustained, or inflicted in drunkenness, and that we call "indirectly due." We have other cases in which the wife or children have been starved, and poverty of blood has been produced, because the wages which should have been spent on food have been squandered, and a low state of the system has been brought on.

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Again, we have cases in which the mental anxiety which a wife or other members of the family suffer in consequence of drunkenness result in mental disease. Of the indirect effects, I could not form any correct computation. I computed them at about 10 per cent. additional; but that is a very vague estimate, and I could not pledge myself to it. Then, again, in January of the present year, for my own satisfaction, I made a very careful examination of all the cases admitted last year; 404 lunatics were admitted, 174 males and 230 females, and I made that a very special inquiry, because I did not trust to the statutory returns. We get a statutory return, under the Act as to the cause of insanity, which return is most fallacious. In each case I made special inquiries from the relatives of the lunatic, his friends or his acquaintances, and from the lunatic himself when convalescent, and I corrected the information thus obtained by my own observations of the case. I took special means of making my inquiry exhaustive and complete, and I found that of 404 cases, exactly 58 were due to intemperance.

That, again, gives a little over 14 per cent., which very closely corresponds with my previous conclusion, that about 15 per cent. of all the insanity in the West Riding was directly due to drunkenness.

448. Have you taken any note of the proportion of insanity produced by habitual drunkenness in different sexes and ages?—I have.

449. Have you a Return of that, or any figures on the point?—Yes. Of these 58 cases there were 44 males and 14 females; 44 males out of 174 give 26 per cent. for the male sex, and 14 females on 230 give 6 per cent. for females. I found afterwards that this calculation was somewhat corroborated by a reference to the judicial statistics, where I find the number of males and females summarily proceeded against by the police each year, and classed as habitual drunkards. As to the ages, I find no case under 20. In 1870 there were 29,038 males, and 9,403 females thus classed as habitual drunkards, which gives three men to one woman, and my statistics are exactly the same. Without referring to papers, I can scarcely give the exact numbers, but I know that there were 18 between 30 and 40, and 18 between 40 and 50, and there was only one case above 70, of an aged man who had been given to intemperance. The average age for the men was 43 years, and for the women 38 years and 9 months, giving the average age for the two sexes of about 41. Hospital statistics show that the average age for the admission of delirium tremens to general hospitals is about 35, and I think that that indicates the connexion of insanity with delirium tremens, showing that it often results from repeated attacks of delirium tremens.

450. Have you made any observations upon the particular form of mental derangement which results from habitual drunkenness?—I have; I find that any form of mental disease may be produced by drunkenness; the alcohol taken to excess in different constitutions produces different forms of mental disease; therefore, if a man is naturally disposed to despondency and dejection, intemperance in him produces melancholia; and in a man of sanguine temperament, who is ambitious, and perhaps predisposed to madness, it may bring on general paralysis; but out of 600 or 700 cases of insanity due directly to

drunkenness that I have had under my observation, I have come to recognise four forms of mental disease as being specially connected with intemperance. The first of these is what is called mania *e potu* or alcoholic mania, but I look upon this as very distinct from delirium tremens; delirium tremens being over, as a rule, in eight days at the outside, and this form of excitement lasting for a month or six weeks or two months; it is, in fact, a genuine attack of mania which is always characterised by the same sort of delusions as are present in delirium tremens, namely, morbid beliefs of a suspicious character, alarm and ideas of persecution with restlessness and agitation; it is, as it were, a prolongation of delirium tremens. I almost invariably find that that variety of insanity is due to repeated attacks of delirium tremens, and that it is followed by a good deal of depression, and also mental stupidity, indicating failure of brain power; subsequent to the excitement. Then, secondly, I have come to recognise as due to drunkenness a form of what we call the monomania of suspicion, which is a form of chronic mental derangement in which, without any excitement or muscular trembling, such as we have in these other cases, we have delusions of suspicion. The sufferer may talk rationally upon general subjects, but at the same time he has a furtive manner and believes that he is persecuted, and that people have entered into a conspiracy against him. He perhaps imagines that the ground is undermined, or that electricity plays upon him to the detriment of his health. Those delusions of suspicion may be generally latent, but at times they may become so urgent as to goad their victim to attempts either at suicide or homicide; I have seen both arise from this type of the monomania of suspicion. Then, thirdly, we have alcoholic dementia, or chronic alcoholism, characterised by failure of the memory, and of the power of judgment, with symptoms of partial paralysis, generally ending in death, a very fatal form of brain disease. Fourthly, we have what I should call dipsomania, which consists of an irresistible craving for alcoholic stimulants occurring very frequently periodically, paroxysmally, and with a constant liability to periodical exacerbations when the craving becomes altogether uncontrollable. This is invariably associated with a certain impairment of intellect, and of the affections and moral power, sometimes also with delusions, but rarely so. It is, in the majority of cases, the result of habitual drunkenness, although I have known it produced by injuries to the head in perfectly sober and sedate men. I have seen it produced by sunstroke and by other causes. I recollect a case of a gentleman, perfectly sober, who had dipsomania, which was attributed to taking a draught of water on a hot summer's day, which caused fainting and was succeeded by an entire change of character.

451. Then that is the distinction which you would draw between the disease which drives a man to drinking, and the drinking which produces the disease?—Precisely so; dipsomania may come on in either way.

452. Speaking of delirium tremens, as differing from mania *e potu* in the one case, delirium tremens rarely comes into your asylum?—Last year I did not admit one case. I have seen cases of delirium tremens admitted into lunatic asylums, but that has been when there has been an attempt at suicide, or great violence; as a rule they go to workhouses or general hospitals. Many work-

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houses and infirmaries have now padded rooms fitted for their reception.

453. And as a rule they are not proper subjects for an asylum?—No, I would not class them with insanity at all, any more than I would inflammation of the lungs, or fever, or small-pox; all of which are occasionally associated with mental excitement.

454. You, therefore, would deem it perfectly unfair to a person suffering under pure delirium tremens to have a certificate for insanity signed against him, and to be sent to an asylum?—Decidedly so.

455. With regard to the mania *e potu*, it is a delusion, and the symptoms are of that peculiar character which would render the subjects of it proper inmates for an asylum?—That is my opinion.

456. With regard to the curability of these dipsomaniacal patients, do you hold that they are as curable as persons suffering from other forms of insanity?—They are most incurable; they require a very prolonged course of treatment.

457. As far as your experience goes of these symptoms, are not they precursors of the mischief which is to end in death?—Undoubtedly so, unless checked.

458. Have you considered the distinctions between the forms of mental derangement which result from habitual drunkenness as a disease, and as a vice?—I have paid particular attention to the distinctions between what I call dipsomania and habitual drunkenness. Habitual drunkenness is a vice, and dipsomania is a disease. The essential distinction to me appears to be that in habitual drunkenness the indulgence of the propensity is voluntary, and may be foregone, and in dipsomania it is not so. Although this is not a medical committee, I may mention an analogy which occurs to me. We know that self-abuse is a voluntary act, we know also that it frequently passes into what is called spermatorrhoea which is perfectly involuntary; and so I believe that in the case of habitual drunkenness which is at first voluntary, the vice may become involuntary, and a disease. That is the only strict analogy which I know of in medical science. The points of distinction between dipsomania and drunkenness are several; I find that as a rule dipsomaniacs urge the internal craving as an excuse; they say, "We cannot resist it." The drunkard, as a rule, urges some external excuse for his debauch. He says, that he met a friend, or that it was his birthday; whereas with the dipsomaniac it is the internal craving. With the dipsomaniac it is the *vis à tergo*, and with the drunkard it is the *vis à fronte*; the dipsomaniac is driven into the debauch by an impulse, the drunkard seeks the intoxicating effects. Then in the dipsomaniac I find that the intemperance itself very frequently presents morbid and periodical characteristics. It comes on once a month, or once a fortnight in paroxysms, or is liable to exacerbations, and is not determined by opportunities; I have known dipsomaniacs, who in the intervals between their attacks would not take stimulants when placed before them, but a drunkard, on the other hand, will take a stimulant when he can get it; that is not so with a dipsomaniac.

459. You must have found many cases of a tendency to habitual drunkenness, which are the result not merely of sociality, or of drink being put before persons, but from distress of mind, or from a low state of physical condition, or other causes?

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—Yes. In tracing back the habit, and asking my patients as to the way in which it commenced, I find various excuses urged. I never heard a medical prescription or medical advice referred to as the cause; so that if that apology is made, it must be confined to the upper ranks, my patients of course being paupers; the excuses or explanations given are in the first place the stealthy growth of habit; that they got into it, they did not know how; in the second place social and convivial influences; in the third place an irresistible craving which arose in an inexplicable manner, and became gradually more powerful; in the fourth place special temptations, as from being employed in a public-house, or in a brewer's establishment, or something of that sort. I have had two or three women who have attributed their inebriety to escorting their husbands to public-houses, with the view of preventing them from excessive drinking. They have said that they have been thus led into drinking themselves. Those are the sort of excuses which are pled.

460. Have you any acquaintance with the practical effects of the various remedial measures which have been adopted for the prevention of this great social vice?—I of course have seen a good deal of the medical treatment of insanity due to drunkenness in cases under my own care; I have also visited one public establishment or semi-public establishment which exists in Scotland, namely, the House of Refuge in Edinburgh, and I have come in contact with dipsomaniacs in the chartered establishments, or public asylums of Scotland, and in private dwellings, where they are boarded out in the country. My opinion is that all the remedial measures which have up to this time been attempted in this country are perfectly futile, and that as yet we have no means of dealing with habitual drunkards. It used to be the practice to send habitual drunkards even from England to the chartered asylums in Scotland. That practice was very prevalent before 1857, the year of the passing of the Scotch Lunacy Act. Before that time, the sheriff would grant his warrant in Scotland, on the mere statement upon soul and conscience that the person was of unsound mind, without facts, and in that way a great many persons found their way into the Scotch asylums; but since the new Act, facts are required, and now the sheriffs, if intoxication or anything of that kind is mentioned, will not grant their warrants, so that is a bar to the admission of dipsomaniacs into Scotch asylums.

461. Are you now using the word "dipsomaniac," as referring to the vicious drinker or the inevitable drinker?—To the inevitable drinker. I fancy that in the cases of which I am speaking it has gone beyond vice.

462. You have given your opinion that the measures yet tried are perfectly futile: has it occurred to you to consider the proposition which is lying at the back of this Committee, namely, the establishment of institutions in which a person can be kept, into which he can go, either voluntarily, or by the action of his friends, but an institution for reformatory purposes, there to be kept and treated for such a length of time as in the judgment of those in charge of him will be sufficient to effect his cure?—I believe that to be the only chance of benefiting habitual drunkards, namely, the foundation of some such institution. I knew a case of dipsomania some

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time ago, in which a man had been confined in a private house in Scotland, in one of those manse where they receive dipsomaniacs. He had been there for two years, and he came home to attend the funeral of a relative and died of delirium tremens in a few days. The supposition is that he got stimulants in the meantime. There is no check in a private house. I have visited dipsomaniacs in the island of Lismore and elsewhere, and I know that the practice there was to get drink from the boatman. In a private house I do not believe that the checks are sufficient, or that anything but a public institution, with strong authority, will be sufficient to prevent the inmates getting drink.

463. Would you cite the case which you have just stated as a pure case of dipsomania?—Yes, it was a case of dipsomania. He had been a dipsomaniac before he was sent to that rural retreat.

464. Supposing that it were desirable to establish public reformatories, furnished with legal powers to exclude drink and to include the inmates, in your opinion that presents the most probable means of curing a certain proportion of these cases?—It is the only hope; I should not be sanguine as to a large proportion, but in a certain number of cases I believe that it would result in benefit; at any rate it would be a great relief to the relatives and friends in the meantime. Frequent applications are now made from the relatives and friends of habitual drunkards, asking what is to be done with them, and stating that their patience is exhausted; I may mention in illustration the case of a gentleman of some position, which came under my notice lately; the patience of his relatives being utterly worn out, they thought that the best course to pursue was to send him to board in an hotel where he might drink himself to death as soon as possible, and I heard of his death shortly afterwards.

465. Is it within your knowledge that persons are sent over to America to establishments there?—No; I have known of the converse; I have known the case of a gentleman coming from Canada; I have known of cases going to Scotland to take advantage of the Lunacy Act there.

466. Have you any other information with regard to retreats for such cases, besides that one in Scotland which you have visited?—I have paid a good deal of attention to it in recent years, and have visited many of those cases in Scotland, and I have repeatedly visited the Refuge in Edinburgh where, I believe, that a number of dipsomaniacs are detained.

467. Are there any other matters which you wish to communicate to the Committee, as the result of your researches?—I am not aware of any, except that there are one or two other distinctions which I can mention between dipsomaniacs and drunkenness. Dipsomaniacs are indifferent as to their relatives and friends, and their moral nature is degraded; in habitual drunkenness that is not so in the earlier stages; habitual drunkards during the first part of their career, have generally a maudlin affection for their relatives, even during their intoxication, and during the intervals between the outbreaks of intemperance their affections are vigorous and healthy.

468. While drawing the distinction which you do between the dipsomania and the habitual drunkard, you have no information of the amount of brain disease which is the result of alcoholic

indulgence?—No; I believe that the most marked effect is in the dipsomania; I find that there is a failure of intellect, which you do not find in the other case. His mind is not so clear; it is obtuse. We know that in habitual drunkards that is not necessarily so. We have many instances, as in the cases of Burns, Poe, Collins, and other poets, who have been addicted to drunkenness, and whose later works have been as good as their earlier. Dipsomaniacs have no energy or fixity of purpose, or strength of volition.

469. Taking the large number of insane people under your charge, I presume that they embrace every situation of life from which persons would be placed in an asylum, agricultural labourers, artisans, seafaring men, and every class of persons going there?—Every class, except the upper ranks.

470. They are such as would be sent to a county asylum?—Yes

471. Mr. W. H. Gladstone.] Do you suppose that the habitual drunkard comes, in the course of time, to be a dipsomaniac?—In certain cases he does.

472. Not necessarily?—Not necessarily, but, in certain cases, depending upon the extent of the excess and the nervous character of the person exceeding, to commence with. If he is predisposed to nervous disease, or has any tendency to insanity, he inevitably becomes a dipsomaniac; if he has a strong nervous constitution, he may resist the poison for many years, without his mind being permanently affected.

473. In case of the people who are detained, should you rely upon moral influences, or upon the mere abstention from drink?—I should rely both upon medical and moral influences. Certain medical treatment may be used, which will make the brain stronger after a time, and then moral and regular habits will come in after abstinence; but it would not do to trust to mere detention and forced abstinence, apart from rigid discipline and hard work. I think that nothing is more pernicious than the practice of sending dipsomaniacs to country retreats, where they are allowed to fish and shoot, and pass their time in a listless and inactive way; as a rule, I believe that this mode of life paralyses the will and relaxes all energy of character. Therefore I think that it could only be in a public institution, where hard work could be enforced, and where certain additional burthens and extra interests might be brought to bear upon them that benefit could be expected.

474. At what stage do you consider that a man should be sent to such a prison?—When those distinctions which I hold to exist between drunkenness and dipsomania, point to the fact of dipsomania having been established, when his affections are weakened, and his will is paralysed.

475. The majority of cases are not of that description, are they?—The majority are not; the majority I look upon as examples of a vice. An accurate analysis has scarcely been made yet, but when all cases of habitual drunkenness are thoroughly investigated and inquired into, in a much larger proportion than might have been anticipated, these symptoms which I have pointed out, will, I believe, be found, showing that dipsomania has been established. I believe that a large proportion of so-called habitual drunkards are dipsomaniacs.

476. Mr. Akroyd.] You have drawn a very able and scientific distinction between insanity caused

caused by what you very properly treat as a disease, and one resulting from habitual drunkenness; I did not clearly understand the difference between the mode of treatment in these cases, the one being a medical case, and the other being rather a reformatory case, going through a long course of reformatory probation?—I have not attempted to deal with habitual drunkenness as a vice, that is beyond my province as a physician, and all my suggestions bear upon habitual drunkenness as a disease when it has come within my knowledge as a medical man. With regard to habitual drunkenness as a vice, and occasional drunkenness as a vice, I have not sufficient knowledge to speak upon the subject.

477. Then your remarks upon the treatment of cases of drunkenness referred rather to dipsomania as a disease, than to drunkenness as a vice?—Yes.

478. In treating dipsomania as a mental disease, you naturally object to short periods of probation; what length of probation do you consider sufficient fairly to test the cure of the disease?—In a confirmed case of dipsomania, not less than two years.

479. Before letting a patient as it were loose upon the world, would you have any mode of testing his cure?—In our county asylum as now constituted, we have no special means of dealing with dipsomaniacs; they are merely classified with the ordinary insane. All that we can do is perhaps to grant them leave of absence, and allow them to go out alone for a little time on trial, to see whether they can stand that ordeal; but we have no satisfactory means of testing their recovery. We watch the progress of the case, and the physical symptoms; and when we see that a man's general health is improved, and that his intellect is brighter and that he is more energetic than he was, we have grounds for believing that a change has taken place.

480. Supposing that you had a sort of adjunct to the county asylum in the shape of a probationary retreat where the patients could be tested, and have a certain amount of latitude, and that they were not dismissed to their friends until it was shown that they could control themselves; do you not think that that would be advisable?—I have not quite been able to make up my mind whether, in the event of the establishment of such retreats, it would be better to have them entirely separate, or in connection with the existing county asylums. There are certain disadvantages in associating dipsomaniacs with the insane; dipsomaniacs require special medical attention and moral government. Now the medical officers of our county asylums are already so fully occupied, that they could not do that: their attention is so much absorbed by acute cases of insanity, that they perhaps would not be able to give sufficient attention to the quiet and chronic cases of dipsomania.

481. Setting aside the question of expense, would you, as a medical man, recommend a separate retreat or asylum of that kind, where the patients would be treated, and where the superintendent of such separate asylum could exercise his own judgment as to when they might be safely restored to their friends?—That is quite my feeling at present.

482. Mr. Wharton.] With reference to an ordinary case of drunkenness, we have been told that if a drunkard is shut up in prison for seven days, he is more likely to be a worse man than a better; from your knowledge of the effect of

drinking on the brain, do you agree with that statement; do you think that an incarceration for seven days would be likely to send him out with a greater thirst for drink than if he had been able to get at it in the mean time?—I should take quite the opposite view; I should say that any abstinence, however short, is better than continuous intemperance.

483. Mr. Miller.] That, I suppose, would not at all amount to a cure?—It would be a palliative.

484. You mentioned, in your evidence, the refuge in Edinburgh; has it effected the object for which it was intended?—I have some delicacy in expressing an opinion upon the Refuge in Edinburgh, only having been a casual visitor upon several occasions; but from all that I could learn of it then, and have heard of it since, I should say that it is a total failure.

485. They have those refuges throughout Scotland; some being in Skye, and some in one place and some in another; and I gather from you, that your opinion is, that they are all failures?—They are all failures.

486. Arising from the possibility of getting at intoxicating drinks?—Arising from want of power on the part of the guardians, and want of occupation on the part of the patients.

487. In your opinion will nothing do but regular restraint for a certain period; two years, I think you say?—I should say that nothing would be at all effectual but that. The voluntary system has also been tried in asylums in Scotland, and it, I understand, is equally unsuccessful.

488. If a witness has said that a month would do, do you think that there would be any advantage in restraining a man for a month?—I should not agree with him.

489. Mr. Read.] Your patients, I suppose, are all paupers?—They are all paupers chargeable to the unions in the West Riding of Yorkshire.

490. Have any of them been in better circumstances?—Many; we have officers and governesses, and the reduced middle class, and I have frequent inquiries made of me as to retreats for habitual drunkards of the better classes in the district as well; so that I hear about them indirectly.

491. Are any of these pauper patients who you say are insane from drink, of the middle classes?—I have had cases of persons from the middle classes who have been reduced in circumstances by drunkenness.

492. In your inquiries as to the cause of drunkenness, has a man ever attributed his state first of all to receiving his wages on a Saturday night, and getting rather jolly?—No, not exactly; he has attributed it to the habit of going to the public-house; and I know that it is a common practice in the district to retire to the public-house on the Saturday night.

493. Among the lower class, I suppose the drink is beer?—They commence with beer, but they do not stop at beer, and they go to wines and spirits; I know the case of a man who drank an infusion of tobacco leaves in whisky; he could get nothing else strong enough to satisfy his craving; but beer is the common drink, and I attribute some of the effects to the adulteration of beer which goes on. My patients tell me that they can get drunk in one public-house at a much cheaper rate than in another, drinking beer of the same price in both; we know that cocculus indicus is imported into this country, and there is

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difficulty in knowing what becomes of it; and that is a most pernicious adulteration; it is alleged that it is added to porter and it is known to produce congestion at the base of the brain. One curious fact has attracted my attention, and that is, the great prevalence of epilepsy amongst the insane in England; I have above 200 epileptics under my care, and in the Scotch asylums the proportion is comparatively small. Epilepsy and general paralysis are, I should think, about four times as frequent in England as in Scotland, and this may perhaps be in some way connected with the whisky drinking of the Scotch, and the beer drinking of the English. This is, however, a mere suggestion; I have no reliable evidence to go upon.

494. Do you imagine that any proportion of it would arise from the adulteration of beer, rather than from drinking?—The adulteration of beer with any narcotics greatly increases its deleterious qualities; it would be much more prejudicial than mere malt and hops.

495. I know that all those things would produce deleterious influences, but would they produce, in any way, insanity, or help on insanity?—They would tend more to insanity than the pure hop and malt.

496. Mr. Miller.] Do you know anything of what is called hard ale?—I do not. I do not know the distinctions between all the different kinds of ale in use.

497. Lord C. J. Hamilton.] You have stated that it would take two years' detention to cure persons suffering from dipsomania, as distinguished from habitual drunkenness?—Yes.

498. How long do you consider it necessary to detain habitual drunkards, in order to remove the thirst for drink, and also to bring them back to their right mind?—Of that I have no experience; habitual drunkards do not come under my notice until they are dipsomaniacs; I look upon habitual drunkenness *per se* as a vice.

499. From your acquaintance with the worst form, should you not think that a month's detention, as stated by the last witness, would not be sufficient to have any effect?—It would be a temporary palliative; it would be quite inadequate to produce any permanent change.

500. Have you ever considered at what period in a man's life, who is an habitual drunkard, it would be right for his relatives to interfere on his behalf, and to place him in such an asylum, if established?—Whenever the craving becomes irresistible: when he says that he cannot resist it, when his affections are weakened, and his intellect fails, and his will becomes weak, and he neglects his affairs and ruins his family,

501. And you would have the Legislature give powers to the relative of a person so suffering to transmit him to one of these houses?—I should think it highly desirable that where it had really become a disease some power of interference should be conferred.

502. Upon the relatives?—Yes, in the better classes, and in the lower classes upon the poor law authorities.

503. Does your experience in Yorkshire lead you to believe that drunkenness is on the increase?—I have no data to go upon; any calculation of that sort to be trustworthy must be founded on observations extending over a great number of years. From my observation in the middle and upper classes, I should say it is on the decrease.

504. You do not think that the prescription by medical men of alcohols has promoted the use of stimulants?—Certainly not. On the other hand,

I have seen poor exhausted creatures brought into the asylum who would have been saved from insanity if a proper stimulant could have been administered at the proper time.

505. Mr. H. Samuelson.] Do you think that whenever an outbreak of continuous drunkenness occurs at regularly recurring periods, the patient is a dipsomaniac, even if he is sober during the intervals?—That may depend upon regularly occurring opportunities, such as pay-day or something of that kind.

506. I mean when it does not depend upon a regular opportunity of that sort, but where the man's self-control breaks down?—Yes; for instance, in the case of a woman, if it came on once a month, I should say that it was disease; it would be connected with physiological circumstances, and I should say there was a strong suspicion that it was also disease in the case of a man in whom it recurred regularly.

507. You distinguish between habitual drunkenness as a vice and dipsomania as a disease; do you think that habitual drunkenness as a vice ought to be punished, and that punishment of any kind has any curative effect upon the habitual drunkard?—I have no experience of that.

508. Habitual drunkenness is the beginning of the disease of dipsomania?—Yes.

509. And might you not very often prevent dipsomania resulting, if you could prevent a man remaining an habitual drunkard?—Most certainly so.

510. Do you not think that that would be a reason for preventing the habitual drunkard having power to go on?—Decidedly.

511. Do you find that dipsomaniacs are much affected by their anxiety to control themselves?—Their affections are blunted; they are indifferent; they say, "We wish to be cured, but cannot help it."

512. Do you believe that they would go into a voluntary asylum?—I believe that in some cases of their going into a voluntary asylum they are seduced in, and sometimes when they are half drunk. I do not believe that they could be induced to go in voluntarily. I scarcely credit their going in without some ulterior inducement. It is said to a patient who is put into an asylum in that way, "Will you go in and stay for six months?" some short period is stated, and then there is the greatest difficulty in keeping them beyond that time.

513. Chairman.] Supposing that reformatories were to be established, would you place them under the control of the Commissioners in Lunacy, or under some other controlling power, separating them entirely from the question of lunacy?—It would be greatly a question of convenience. Looking upon dipsomania as a disease, it would seem to fall within the sphere of the Commissioners in Lunacy, who are officially connected with all other mental diseases.

514. I ask you the question with reference to your last answer, namely, as to an habitual drunkard going into a place for reformation; supposing that reformatories were established, they must be under some, would you have that control in connection with the Lunacy Commissioners, or would you have it independent?—I should see no reason why the local governing body might not be drawn from the magistracy, as in the case of public asylums, a general supervising power being given to the Commissioners in Lunacy.

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515. Of course you would assume that in these reformatories a system of moral and healthy influence would be brought to bear upon the inmates?—Yes, what is called moral treatment.

516. And that they would not be subjected to punishment and fines, as if they were prisoners?—A certain amount of discipline would be essential.

517. That being so, would you confer the power of retaining an inmate when he was admitted, upon the parties in charge of the reformatory?—Certainly, or upon the governing body, or Commissioners in Lunacy, because the relatives of people in that state of life are so easily influenced by his representations and promises, that before a patient had been in three or four months they would wish to take him out again.

518. You believe that voluntary residence in an asylum would break down?—It would be utterly futile; I have no faith in it whatever.

519. Mr. W. H. Gladstone.] Do you not consider that there is an essential distinction between dipsomania and lunacy?—I classify it as a form of disease. There are 20 or 30 forms of

lunacy, and there are certain of those which we keep separate; you would separate the milder forms from the raving madmen, and the fatuous and idiots from the more sensitive; idiots are separated; we have special idiot schools, and they are taken out of asylums, and sent to idiot schools, and so, if it were thought expedient, another distinction might be drawn between dipsomania, and the other forms of insanity.

520. *Chairman.*] Have you any statistics in your possession with regard to the hereditary predisposition in those cases of insanity arising from drunkenness?—I did note the fact in going over the cases admitted during last year, and I think that in about one-third of those cases of insanity which I found to be due to drunkenness, there was an hereditary tendency as a co-operating cause with the drunkenness, creating the predisposition. I think that the hereditary tendency from drunken parents does not always manifest itself in insanity, but frequently in idiocy and crime. There has been a case where one isolated act of drunkenness on the part of a parent clearly resulted in the idiocy of a child.

DR. FRANCIS EDMUND ANSTIE, called in; and Examined.

521. *Chairman.*] ARE you a Physician residing in London?—Yes.

522. And practising in London?—Yes.

523. Have you given special attention to the subject in which this Committee is now inquiring?—I have for a great number of years.

524. Has your knowledge been derived from practice amongst the higher or lower classes?—I may say both, to a considerable extent; I have had a large hospital connection, and also a private practice amongst the better ranks.

525. Do you hold any public offices?—I am lecturer on medicine at the Westminster Hospital, and I am senior assistant physician there. I see the largest number of the out-patient class, and amongst them there are a great number of intemperate persons.

526. Will you have the kindness to state, with as little technicality as you can, your views upon this important subject?—Yes, if you will direct my attention to any one branch. For instance, would you like to know what I think of the varieties of the degree in which drink takes hold of a man? I happened to hear Dr. Browne's evidence, and I should like you to know the kind of distinction between his opinion and mine; I quite admit that there is a distinction (whether it is advisable to call it exactly by the name which he employs or not) between the frequent drunkard, and the man who has drunk himself into a state of perfect want of resisting power; but I should say that that is a matter of degree; whereas there is another affection connected with drink, which is separated absolutely as a matter of kind, namely, the kind of drinking which is entirely paroxysmal and which, so far as I know, never occurs except in persons of a certain hereditary conformation; the disease first called oinomania, by a Frenchman, is a disease which comes upon men at intervals who are otherwise not inclined to drink at all, and there are spaces between their times of drinking in which they are perfectly free from any tendency to drink whatever. That is not a mere fancied distinction; I know of several such cases. Those persons are the children of families in which invariably, or almost invariably, insanity

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is hereditary; very often drinking has been hereditary in a marked manner. Upon the question of restraint, these persons are not curable by any thing, by incarceration or anything else.

527. Do you connect the disease of the nervous system with excessive drinking as a cause, or as an effect, mainly?—I believe that the drinking in this particular case is the result of disease, because it not merely shows itself in drink, but in other things; a man begins to drink when he is altogether in an abnormal state; it is a mere variety of inherited insanity.

528. Have you not known families broken up by the drinking of the parents, who would have been anxious, if it had been possible, to have reclaimed them from their habits?—There is no question whatever of it.

529. Has any existing system, by which they might have been reclaimed, been presented to your mind?—None.

530. Have you any doubt that many of these persons might have been reclaimed if some effective system of reclamation had been available?—No doubt at all.

531. I am speaking now, both of the upper and of the lower classes?—Quite so.

532. Have you considered in your own mind, the best method of dealing with this great social evil?—Many of the details are quite beyond my power to work out. I mean to say the machinery by which a certain mode of treatment could be put in legal action; but as regards the arresting of certain habits, I know of only one way, beyond of course certain very subsidiary matters which relate to a man's general health. Supposing a man to have got himself into a condition in which he is constantly breaking down, then I know of nothing, except entire seclusion for a long period, and under the most absolute and despotic restraint, which would have the least chance of doing any good whatever.

533. Then you would consider that punishing those who cannot control their passion for drink by fine, or imprisonment with hard labour, is at once harsh as well as useless?—I have no doubt that it does not reform the man at all.

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534. So far as your experience goes, does not the habitual inebriate very soon lose all sense of shame?—There are great differences, but there is no question that the great tendency of drinking, in proportion to the frequency with which it is indulged in, is to obliterate moral conscience; Dr. Crichton Browne has very well expressed it.

535. Do you think that, with an adequate period of treatment, a fair proportion of these cases might be cured as ordinary cases?—That is an adventurous statement, because we have not the facts to go upon, but I should think so; I should think that, supposing a treatment of absolute restraint were applied early enough, drinking is pre-eminently a thing which could be recovered from.

536. Is it a fact that cases of mental disorder are cured very much in proportion to the earliness with which they are treated?—Most undoubtedly.

537. And for that reason, the sooner you could cope with an habitual drunkard, so as to keep him from the cause of his disorder, the better chance you would have of curing him permanently?—Yes, undoubtedly.

538. You would have but little hope of being able to cure a man or a woman after many years of habitual intoxication?—I never knew such a patient cured (more particularly I may say that of a woman) under the existing system; I absolutely never knew of a patient being cured who had gone on for more than a certain length of time.

539. It follows, as a corollary to your answer, that it is of primary importance to prevent cases of frequent intemperance hardening into confirmed disease?—Undoubtedly; of course I am speaking, not as to the practicability of doing this, but as to the theoretical desirability of it.

540. Are there very many relapses after cures of insanity, so that patients are frequently readmitted to the asylum?—Yes.

541. Therefore the breaking down of persons who have been in a reformatory, and who might come in once and again, could not fairly be quoted as against the system, any more than it could be quoted against an asylum treatment for insanity?—No; it would not be fair to rest too much stress upon that argument.

542. You have not only taken much pains with this subject, but I believe that you are the author of a work which is universally quoted upon the subject of oinomania?—I have written various opinions upon the subject of stimulants and their abuse which are more or less known.

543. That being so, are there any particular views with regard to this subject which you would like to lay before the Committee?—Yes, I should very much like to say something as to the causes of the so-called spread of intemperance, and the causes which are supposed to be at work. For instance, as to the question of whether intemperance is more or less prevalent, I should like to say that it is a question which it is perfectly impossible to answer, unless we had a statistical inquiry extending over a very great length of time. My own impression is that the increase, if increase there be, is not one of absolute amount, but rather of direction; that certain classes indulge more, and certain classes very much less than they did. As to the absolute increase of drunkenness, I confess that it may exist, but I do not know of it; I have no proof of it. I think that there is great danger that it might do so. I think that amongst the rich, and especially the

suddenly rich middle classes, drink is increasing; and it is diminishing very much amongst persons of a greater cultivation of mind; it is my impression that it is diminishing amongst the labouring classes, except in certain special places, such as the great manufacturing towns.

544. Mr. H. Samuelson.] Is it not diminishing very much amongst the young men at the universities?—I suppose so; on the other hand I have had one or two very bad cases of drinking among university men, but I have no statistical grounds to go upon.

545. Chairman.] You have heard Dr. Browne's answers to the questions which I have put with regard to reformatories. As a general view, do you agree in what you have stated?—I entirely agree with him. I was exceedingly glad to hear Dr. Browne express the opinion, that reformatories, in which there is only partial and not despotic power, are utterly useless.

546. Without entering into the way in which they are to be managed, would you look upon them as a desirable adjunct for the treatment of disease of the nervous system?—I should.

547. Mr. W. H. Gladstone.] Do you look upon them with any confidence?—I hold that the parties should continue to be confined even against the wish of their friends, and I should then hope for very good results. The only cures which I have known have been where, from some exceptional reason, it has been possible to carry out such a plan.

548. Mr. Akroyd.] Have you formed any opinion as to what would be the proper period of detention?—What Dr. Crichton Browne mentioned, namely, two years, I think, is not at all too long.

549. Amongst the cases which have come under your treatment, have you had any cases of the form of disease to which you have referred, namely, oinomania?—Yes, several. I suppose that by some accident I have had them in an uncommon number, because it is not a very common disease.

550. What form of treatment would you adopt for it?—There is no treatment for it whatever; I never knew any treatment do any good whatever.

551. In fact, you consider that form of disease almost incurable?—As far as I know it is a paroxysmal insanity which at the time is entirely incurable; I do not believe that reformatory treatment is in the slightest degree applicable to such a case, because I have known an analogous treatment applied without the slightest effect.

552. Have you had under your treatment the cases of those persons who have lost control, and where you have been at liberty to adopt your own treatment; you have told us very clearly about the form of disease, but I allude to other cases not exactly coming under the category to which you have been referring, but cases of habitual drunkards where the relatives of the drunkard have been anxious to place him under restraint, with the view of enabling him to gain self-control; have you had any cases of that kind?—Yes, plenty.

553. Have you been at liberty to adopt your own treatment, and to carry out any act of compulsion?—Once or twice one has been able to put a man under real restraint, and then one has had very good results. I have said that I never knew one of the cases of paroxysmal affection get better, but I must qualify that statement; in one instance such a case did improve after a length of time,

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time, and I can go into medical reasons why it did so, but it would be too long a story; that man descended from a family in which there was a certain amount of inherited intemperance, but no other form of inherited insanity, and his was the only case in which I ever knew or heard of a man getting well.

554. What do you recommend as the curative treatment of cases where a drunkard has lost self-control; you have already recommended a period of detention?—There is very little chance of anything except forced abstinence being of any use; there are certain tonics, and there is nutritive treatment, more especially the ruling of the diet, which I think is exceedingly important.

555. Would you recommend a period when a man should have a certain amount of control?—Yes; but it would be a difficult business.

556. *Chairman.*] Would you consider detention alone with total abstinence sufficient, or would you combine with it certain medicinal treatment as separate from moral treatment?—It would require medical supervision; it would be very necessary to have a resident medical officer to watch the bodily symptoms, although there might not be positively much drugging.

557. *Mr. H. Samuelson.*] And it would be desirable to have some active occupation; hard work?—Yes; I agree with Dr. Browne in that.

558. *Mr. Wharton.*] We have had recommended to us, that instead of the present punishment of locking up a man in a solitary cell for so many days, a ward should be attached to the prison, in which a number of prisoners should be confined, not on the silent system, but that they should work at a trade under the supervision of one warder; should you think that carrying out that system for six or nine months would be a likely treatment to cure a man of habitual drunkenness if he got regularly drunk every Saturday night?—No; I have very little idea that that would be of much use.

559. Should you say a longer period; would you be prepared to carry out a penal treatment for two years?—I am not prepared to say that it would not have the desired effect. I should not like to hazard a positive opinion.

560. *Mr. Miller.*] Supposing that reformatories were established over the country, such as are pointed at by the Chairman, to receive persons upon the application of their friends or relatives, is dipsomania so well understood by physicians that proper parties only would be placed under restraint, that is to say, would physicians understand the disease sufficiently not to be imposed upon by friends or relatives who might wish to get some of those persons out of the way?—I do not mean to say that you might not here and there get a man who would make that mistake, but the characteristics of drink are exceedingly well marked, if looked at, and if once a man's attention is aroused to the subject there is no difficulty.

561. The liberty of the subject would not be endangered, as a rule, by such a course?—I would not express too positive an opinion upon that matter, but, judging from the facility with which one distinguishes between the tendencies to drinking and the tendencies to ordinary mental disease, and conditions which are neither insanity nor drinking, I think that there ought to be a very fair amount of security. I have no doubt that the power of seclusion would be attempted to be misused.

0.73.

562. *Mr. Read.*] You say that a tendency to drink can be inherited?—No doubt.

563. Apart from any disease of the brain?—No; the tendency to drink is a disease of the brain which is inherited.

564. Does it arise from scrofula or anything of that sort?—No; I do not think that scrofula tends to drink, but it is a tendency to drink.

565. You have known cases, I suppose, in which the father has been a confirmed drunkard, and in which the sons have been unlike the father in every respect, except that they have drunk?—Yes, but is not always immediately inherited, it very frequently passes over a generation, or is only seen in one of a large family, and so on.

566. Where would you begin the detention of an habitual drunkard?—Do you ask me to lay down practical rules?

567. Would you say that he must be a maniac, or something of that sort, before you laid hands upon him and detained him?—I am not quite prepared to use that word dipsomania, which Dr. Browne, in accordance with a great many writers employs, and to make that absolute distinction between an habitual drunkard and a dipsomaniac; it is so subtle a distinction that I think you must have for your test the frequency with which a man has broken down, you must make some rules independent of any abstruse medical rules.

568. Do you think that medical treatment has anything to do with the increase of drunkenness?—No; I believe it to be a monstrous statement; I have had patients who told me their habits had been produced in this way, when it has turned out to be a scandalous misrepresentation; I do not say that such a thing as that may not have happened in a few cases, but that it has had anything to do with a general spread of tipsiness amongst the rich I deny; I think that such a statement is not correct. I desire to state, as I have already stated elsewhere, that the medical profession are bound to exercise great caution in prescribing alcohol. But I am certain that the evils arising from occasional neglect of this caution, though they have been great in individual cases, have had no serious share in a general increase of intemperance, if such there be. He believes that the cases of the latter are to be found in far wider social influences; the ignorance of the poor, the idleness and empty-mindedness of the families of the *nouveaux riches*, and the increase of extravagant habits of all kinds, among all classes of society.

569. You do not think that sending a man to prison for a week or 10 days, has any tendency to reduce drunkenness?—No; I believe that if he has a distinct tendency to drink, it has no lasting effect whatever.

570. Do you think that the old fashion of putting him into the stocks would have a better effect than sending him to prison?—It would deter a certain number of bye-standers, but it would not affect the individual at all.

571. *Mr. H. Samuelson.*] Do you think that where there has been habitual drinking on both sides of a person's ancestors, either he or his children are sure to be disposed to drinking?—Yes, where drinking has been strong in both parents, I think that it is a physical certainty that it will be traced in the children.

572. I did not say in both parents, but in the families of both parents?—Yes, I should say so.

573. Does what you call a paroxysm of drinking arise in cases where the persons do not drink at other times to excess?—Certainly. I knew a man who was in an exceedingly good position, and of

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exceedingly active business habits, and who was one of the cleverest business men that I ever knew; he always lived a sober and chaste life, except when the fit was upon him; he did not go far off to avoid scandal, but went to the nearest public-house, and consorted with loose women, and shut himself up in a back parlour, and drank brandy with them for six weeks, close to the village where he was an important man; he was a manufacturer, it was a very well-known case at the time.

574. Are oinomaniacs frequently victims of delirium tremens?—They get into a condition rather different from delirium tremens; there are certain distinctions which it would take too long to describe. I must guard myself against your supposing that the only form of inherited drunkenness is the particular paroxysmal form; besides that, there is the inheritance of a tendency to lust, and a lax resistance of temptations of that kind, and there are a great many other things besides. I do not think that that is the only way in which drunken parents transmit drunkenness to their children, because the paroxysmal form is only a rare form.

575. In the particular cases, where a man is inclined to drink only at certain periodical times, would a much smaller amount of drink make him drunk than what he is in the habit of drinking without any ill effect every day?—Yes, it is a condition of general exaltation of the mind; those men become quite out of their judgment, and behave in a particular way.

576. Are not those men affected with a great horror of drunkenness in their sober periods?—Yes.

577. More particularly so than any other class of drunkards?—Yes, they are far less blunted in their moral sense.

578. You say that they are not curable by any means, do you mean that if they were placed under restraint, when they got out again the same result would be sure to follow?—Yes, it is almost absolutely certain to follow.

579. *Chairman.*] Alluding to your answers upon the subject of hereditary predisposition, would you extend that hereditary predisposition to the children, not of absolutely drunken parents, but of parents who live very high?—That is a question, the reply to which would take a great deal more evidence than we are able to produce; but I have no doubt that many persons who were never drunk, parents in the old port wine drinking period, have transmitted very unstable nervous systems to their children.

580. Would you put it as your experience that the descendants of very jovial parents have a great predisposition to nervous affections?—I believe that if a man habitually took two or three times as much stimulant as is required for the physiological wants of the body, his children would inherit those affections. I desire it to be understood that my opinion, based on the most recent physiological researches, is, that alcohol, in moderate quantities, is an exceedingly useful article of daily food, at any rate for large classes of the community.

581. Then, to a certain extent, you endorse

the Aristotlean maxim that drunken parents beget drunken children?—No question of it.

582. I have one or two questions to put to you as to method; supposing that we are dealing with a person in whose case the destruction of property, or the ruin of family, is dependent upon habits of intemperance, would you think it desirable to place such an individual under interdict, as is the case to a certain extent in the law of Scotland, and as prevails in Canada and in the United States; I mean by that, that the habitual intemperance being proved before the court, or before magistrates, the power of that individual to control his property is suspended for a time?—Most unquestionably it would be very proper; as to the legal possibility of carrying out such a thing I cannot speak, but I should say distinctly that that should be done where persons get into a state which would be sufficiently recognised in which their property ought not to be managed by themselves.

583. Are you aware that in some of the United States, and in Canada, the law of interdiction extends both to property and to person?—Yes; I know that they have very strong laws about it, and I should have liked, before saying much, to have seen the working of them.

584. It must have occurred to you to see persons ruining themselves and their families, without the friends being able to step in and put any check to it whatsoever?—Yes, over and over again. There is one thing which I should like to put on record very particularly, namely, that there need be no fears of the result upon the health of intemperate individuals of immediately depriving them of every kind of alcoholic stimulant; it would be a question which would be complicated by letting them down by degrees; the only way of letting such a man down is by cutting him off from drink altogether, and it is perfectly and absolutely safe, and the only thing which is calculated to do good.

585. *Mr. Read.*] You would put a man who had drank two bottles of wine a day upon cold water instantler?—Yes, I have done it frequently, and never saw the slightest ill effects.

586. Would you give him a tonic, or something of that sort?—I will not say about that; it would be according to other indications. I certainly should not give him any alcohol.

587. *Mr. H. Samuelson.*] Do you consider that there is absolute madness in the case of a man whom you have described as an oinomaniac?—Yes, distinctly. There is madness about other things besides drink; there is in general a great outbreak of lust, and men commit themselves extravagantly with women concurrently.

588. *Mr. Akroyd.*] Do you not think that seven days' imprisonment would make a drunkard much more thirsty and more likely to rush into drink than before?—I do not know that. I should be inclined to say with Dr. Crichton Browne, that every short period is a gain.

589. For the time being?—For the time being.

590. Might he not rush into great excesses afterwards?—He might. I am not sure.

Friday, 15th March 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Mr. Birley.
Colonel Brise.
Mr. Donald Dalrymple.
Mr. W. H. Gladstone.
Lord Claud John Hamilton.
Sir Harecourt Johnstone.

Mr. Miller.
Dr. Lyon Playfair.
Mr. Clare Read.
Mr. Henry Samuelson.
Major Walker.
Mr. Wharton.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Dr. DAVID SKAE, called in; and Examined.

591. *Chairman.*] WILL you be so good as to tell the Committee what is your official position?—I am Physician to the Royal Edinburgh Asylum, and have been so for the last 25 years.

592. Have you had very considerable experience at the Royal Edinburgh Asylum upon the subject of intemperance generally?—Yes.

593. Has your attention been directed to habitual drinking as a cause of diseases of the brain?—Very much indeed.

594. Have you classified drunkards in any particular way?—Yes. I think that there is a great variety amongst drunkards. First of all there is the regular drunkard, who keeps sober during the day and gets drunk at night, and attends to his business regularly during the day. Such men may carry on for many years without injury to themselves or others. I have known one case where a gentleman was carried to bed drunk every night for 50 years, and yet he made a large fortune, and was in the market every morning attending to his business. I do not think that these are cases requiring any interference.

595. Will you give to the Committee the way in which you classify drunkards?—That is one class. The next I would call the tipplers, who take small glasses of whiskey, or spirits of some kind, or ale or beer at intervals during the whole day. Some of these persons conduct themselves very well; others again injure their business and their families; and in such a case I think that they ought to be put under restraint of some kind. Then another class whom I refer to, are what we call dipsomaniacs, or I would rather call it moral insanity, of which the drinking is one of the principal features. These persons lose all control over themselves, and drink to any extent possible; in fact they will drink anything they can get hold of, and if they cannot get spirits, they will drink hair wash, or anything of a stimulating kind. Some of these cases are periodical, and come on at long intervals of time, perhaps two or three years; others come on at short intervals of time, perhaps every month, or three months; those persons keep on and keep

well for a few months, and then take ill again, and they lose all self-control. These cases are mostly hereditary; they are very often caused by disease, by blows on the head, sometimes by hemorrhage, and the loss of a large quantity of blood; sometimes by disease of the brain. All these cases I mention to show that this is really a disease, and not a mere case of drunkenness. I think that these persons ought certainly to be restrained for a considerable length of time, in the hope of curing them of this craving. Then there is another form of insanity brought on by drinking, namely, delirium tremens; that is a form of delirium rather than insanity, and it is of short duration, and most generally recovers after a long sleep, after being ill for some three, four, or five days. Then, besides these, there are forms of insanity characterised by delusions, for example, hallucinations of seeing and hearing; these, I think, are proper cases for an asylum; they are permanently and truly insane, like other insane persons, and they have distinct delusions; they are very often suspicious of their friends, and are dangerous to be at large. I think that those are the principal forms which I have noted.

596. Those are the classes into which you would divide persons given to excess of drink?—Yes.

597. With the first, or those who get drunk under ordinary circumstances, we have nothing to do; we are not dealing with the ordinary drunkard; but we pass to those who are to be called tipplers, or habitual drunkards; would you propose to interfere with this class of people by legislative interference in any way?—I think so, provided that they were injuring themselves, and their families and property. I think that they ought to be restrained by some means.

598. Many of these persons are lavish and ruinous in their expenditure?—Yes.

599. How would you propose to deal with that class of case?—I think that there exists a mode in France, I am not quite sure about the details of it, but as far as I remember it very much amounts to this, that a committee of the person

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person is appointed consisting of two male friends, two medical men, and the prefect of the district, and that committee has power to detain the person in an asylum. I think that some such committee would be a very useful mode of restraining persons. That committee might have power to send parties to an asylum, or to a proper sanatorium provided for cases of that description.

600. Then unless they carried their habits of drink to the extent of being mischievous to their health, or ruinous to their families, you would leave them to police regulations and interference?—Yes.

601. There are persons who voluntarily and deliberately drink to excess, either on Saturday evenings, or upon holidays, and so forth, but who are nevertheless industrious during the intervals of their sobriety; you would not propose to do any thing more with them than magisterial regulations now provide for?—Certainly not; I think that they ought to be left to the magistrate.

602. We now come to the question of those persons who are insane drinkers, or who are dipsomaniacs, as the phrase runs; in what way would you propose to deal with them, because it is admitted on all hands that they have entirely lost self-control?—I certainly think that they ought to be detained, and for long periods of time; at present such cases are frequently sent to asylums, but they cannot be kept there longer than a few months, especially the first time; they are very apt to be sent out by the Commissioners of Lunacy on the ground that they cease to be insane after they get to be sober by force.

603. Those cases of dipsomania are often periodic?—Very often.

604. Sometimes they are chronic, and the persons are continuous drunkards?—Yes, they drink whenever they can.

605. And they will drink anything which they can get hold of?—Yes, I have known a lady drink shoe-blackening and turpentine.

606. Do you consider those persons proper subjects for reformatory treatment, or would you consider them more proper subjects for treatment in an asylum or hospital?—I certainly think that it ought to be made legal to confine them for long periods of time, so as to cure them if possible.

607. In fact, before you would place them in a lunatic asylum you would try the influence of a long period of reformatory treatment upon them?—Yes.

608. Do you believe that that reformatory treatment, provided that it involved entire abstinence from drink for a lengthened period, would save many cases from coming to absolute insanity?—I certainly think that it would; not a very large number of cases, because the great majority return to their previous habits, even after a lengthened confinement, but a small number do recover if they are kept from getting stimulants for a long time.

609. Would it save those cases which are dependent less upon cerebral disease existing than upon the habit of drinking?—I think so, certainly, for the habit would be cured and the craving removed.

610. I will read a few lines from the evidence of a gentleman given here at the last meeting of the Committee, and I will ask you how far you agree with that evidence; he says, "The points of distinction between dipsomania and drunken-

ness are several; I find that as a rule dipsomaniacs urge the internal craving as an excuse; they say, 'We cannot resist it;' the drunkard, as a rule, urges some external excuse for his debauch; he says that he met a friend, or that it was his birthday; whereas with the dipsomania it is the internal craving; with the dipsomania it is the *vis à tergo*, and with the drunkard it is the *vis à fronte*;" do you agree with that statement?—I perfectly agree with it; I ought to have added, in speaking of dipsomaniacs, that there are other symptoms of insanity besides the mere drinking; they are entirely given to lying; you cannot believe a word they say when under the influence of drink, and they will very often entertain a dislike to their friends, which makes them dangerous. I have a gentleman under my care just now who has been well for three years, but when he is ill he hates his wife and he hates his own life, and when he gets well he is very gentle and modest and retiring in his habits.

611. In dealing with this class of cases, are you of opinion that sanatoriums or reformatories being established, they should be placed under legislative enactment?—I think so.

612. I believe that in Scotland there is a principle, derived from the old civil law, which appoints a tutor or a curator of the person and of the goods?—Not of the person; he has no power over the person at all; he has power over the property. The process is a very simple and very cheap one; it is, I think, greatly wanted in England, where the expense is so great that a number of lunatics lose their property instead of going into court to get themselves put into Chancery.

613. You would give power to persons conducting these reformatories absolutely to retain an individual who was placed under their care?—Certainly.

614. Even supposing that he had entered the place voluntarily?—I think that it ought to be made compulsory. There is a section under the present Act allowing patients to go voluntarily into asylums; it does not answer at all; after they have been in a short time they can force their way out. They have only to give an intimation of three days that they wish to go away. The result is that I never take any such patients, because I have no control over them.

615. You believe then that if they had the power to go out when the craving for drink came on, they would go out and get it?—Yes, they always insist upon it. I observe that in an American asylum, where Dr. Day says he is working with great success, the average time of detention in the asylum is 37 days. I have no doubt that those cases which went out suffered a relapse, although he says that they were cured.

616. As the penultimate condition of this class of persons there is one certain form of cerebral disease, independently of delirium tremens, and those, I suppose, are to be considered as fit subjects for asylum treatment?—I certainly think so.

617. Supposing that they enter these reformatories, and are found, after a certain length of time, to take on a particular form of cerebral disease, you think that that should be their destination?—I think that there ought to be power in the Act to transfer them to an asylum.

618. That should be their destination, with the

the consent, of course, of the relatives?—Quite so.

619. You would not think of sending them there by any despotic rule?—If they were dangerous I think that it ought to be in the power of the procurator fiscal to deal with them as he does with any other dangerous patient; he has power to send dangerous persons to asylums, independently of their friends; I do not know what is the case in England.

620. From your knowledge of certain institutions which have existed in Scotland, do you believe that for the upper and middle classes those establishments could be made self-supporting?—I think that they could; I have sent a great many patients, about whom I have been consulted, to private boarding houses, and I believe that they pay very well.

621. It has been given in evidence here that it might be desirable to establish for the pauper classes, who could not pay, reformatories in connection with the prisons, and that instead of putting them to short sentences of imprisonment they should receive long sentences of reformatory detention, with labour sufficient to pay the cost of their detention and maintenance; does that idea recommend itself to your judgment?—Sarcely; I think that it would be better to connect such places with the workhouses than with the prisons; I think that it is a pity to attach a stigma to such persons if it can be avoided; it should be looked upon more as a hospital, if it were done; if such places were connected with prisons the stigma of a prison would always attach itself to the person's character.

622. Have you any knowledge of the percentage of cases which have been ascribed to drinking?—I have here a very long table in which I have thrown into the form of statistics the whole of my cases, extending over the last 30 years. I find that the average number of males admitted into the asylum, whose insanity was brought on by drinking, was 16 per cent., and that the average number of females was seven per cent., making a general average of both sexes of 11½ per cent. Perhaps you will accept of this paper which contains details, and also gives the causes of the insanity in each case.

623. Mr. Akroyd.] The Chairman has asked you a question respecting reformatories for habitual drunkards, as attached to prisons; have you had any experience of reformatories?—No, but I find that patients have a great dislike to anything connected with prisons.

624. If you have had experience, you will be aware that all the managers of reformatories

object most strongly to have them in any way in connection with prisons; they say that it is fatal to the reformatory system to have it connected with prisons. But the question which I should like to ask you is this: it is in relation to the evidence given by a former witness who is the conductor of a large lunatic asylum at Wakefield. Taking those forms of habitual drunkenness which are caused by mental disease, is it not desirable that those mental inebriates should have a separate asylum, or in the general lunatic asylum, or that there should be an inebriate asylum totally distinct from the county asylum?—Most certainly. Those patients dislike the asylums very much, and they make themselves very mischievous and troublesome.

625. You have criticised very ably, the different sorts of drunkenness; you have mentioned particularly two classes, one not an uncommon class, namely, those who get a glass in the evening after having done their business during the day; those are not injurious either to themselves or to their families?—Certainly not.

626. And in your judgment they need not be put under restraint, as they have not lost their self-control?—No; many of them, I know, live to a great age. I have known men upwards of 80 who have been drunkards of that kind.

627. By the class of tipplers, you probably allude to those who take a glass in the morning?—Yes, and very often during the day, but if they do not injure themselves by being lavish of their property, and if they are not dangerous to their friends, I think that they ought to be left alone.

628. You have also mentioned that in Scotland there is a particular law to provide a curatorship for the case of a drunkard?—Not of a drunkard, but of an insane person; I recommended that the same law should be applied to drunkards who required confinement in order that the property might be saved. And another great advantage of it is, that when the patient leaves the asylum the curator cannot be discharged without a regular petition to the court upon two medical certificates, which in the case of such a man there is some difficulty in getting, and as long as the curator has a hold over his property, he can regulate his expenditure, and can prevent his drinking to a certain extent by only allowing him so much a week.

629. Supposing that the curatorship extended to the person, then there would be a better chance of effecting the desired reform?—I think that it would be very desirable if it did.

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Mr. GEORGE WILLIAM MOULD, called in; and Examined.

630. Chairman.] You are the Superintendent of the Lunatic Asylum at Cheadle, in Cheshire?—Yes, it is the Manchester Royal Lunatic Asylum.

631. Sir H. Johnstone.] It is for the city of Manchester?—It is for any district, but it is called the Manchester Royal Asylum.

632. Chairman.] How long have you held that office?—Ten years.

633. What number of inmates does the asylum contain?—It is for the upper and middle classes, 0.73.

and contains on the average about 135 patients.

634. Are there two classes of inmates there?—No, they are the upper and middle classes; the wealthier classes of patients. I have also been assistant medical officer to the county of Lancaster Pauper Asylum at Prestwich.

635. Have you any statistics with you of the proportions of insanity produced by habitual drunkenness, or by intemperance?—I have not them with me, but I can speak from memory; about

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about 15 per cent. in Lancashire is directly attributable to intemperance.

636. Mr. Read.] Is that male or female?—Male.

637. *Chairman.*] And what is the proportion of females?—About 7 per cent., but I believe that it obtains in Lancashire more than in any other county of England.

638. That is derived from a return within your own knowledge?—Yes.

639. How far do those per-centages tally with the per-centages in other asylums?—They are rather higher, because the district to which I refer is, so to speak, a very rich district for the working classes, and they have a large amount of money to spend in drink.

640. Will you be so good as to detail to the Committee what are the particular forms of mental derangement which you attribute to habitual intemperance?—The principal and great form is general paralysis; that is the ultimate form which it assumes from excessive and continuous drinking. Then I should divide habitual drunkards into two classes; those who drink impulsively, and not continuously, and who are of the most violent and dangerous characters, and require immediate control and restraint; and those who continuously drink and get into a kind of soddened and muddled state.

641. Have you formed any distinction between habitual intemperance as a vice, and the same as a disease?—Undoubtedly.

642. Will you give us your distinctions?—Intemperance as a vice is the result of a vicious and immoral habit; intemperance is the result of a disease, is attributable to an impulse which the patient cannot control; in the other stage he can control it; he can be made to control it.

643. Is there not a point of time in which the terms are almost convertible?—Yes, when the drinking has been continuous either way; of course I am speaking of the beginning.

644. Have you any doubt that that which commences as a bad habit leads on to the formation of a disease?—None whatever; but that can be controlled by the fear of consequences; the other cannot be controlled excepting by actual intervention.

645. Then supposing that you can take this bad habit before it is hardened into a disorder, your chances of preventing its assuming that form will be largely increased?—Very much so.

646. Are you acquainted with the practical effects of the various remedial measures which have been tried in Great Britain?—Yes, I have had a very large experience with what are called voluntary boarders; I believe larger than any one. I think that I am the only person who has undertaken that very thankless office.

647. Will you give us the result of that experience?—I have had about 120 patients in the middle and wealthier classes in life, during the past 10 years, who have placed themselves under my care in a so-called voluntary manner, but really more at the instigation of their friends, or the persuasion of their medical men, than of their own free will. I have had them both in the asylum itself and in private houses in the neighbourhood. After a short time their detention becomes very irksome to them; the monotony of their life is different to what they have been accustomed to, and they wish to go out. Legally one is bound to let them go, but I have been in the habit of taking an indemnity from

the friends or relatives of the patients, and illegally keeping them in against their will, and I have done so for as long a time as 18 months. In some instances it has had a very beneficial and a permanent effect; but in by far the greater number of instances there has been a relapse.

648. They were failures?—Yes; I have treated such patients in every way as if they were of unsound mind, and irresponsible. If I have allowed them to go out on parole, and if they have broken that parole, I have either withdrawn some privilege or I have isolated them from others, as either a punishment or as a deprivation of a privilege which they previously enjoyed; and I believe that that is very necessary, or you cannot have the control over them. The habit of drinking in women in the middle or better classes, as far as my experience goes, nearly always arises from some bodily disease producing mental distress, and they take stimulants, first in small quantities to drown some uncomfortable sensation which they experience; they unfortunately find temporary benefit from it, and they require larger doses, and so get into this very bad and unfortunate habit. It is very difficult in these cases to find out the beginning of this habit. It is extraordinary to notice the subterfuges to which a woman resorts, and the time that she will be drinking before it is even suspected that she has been drinking. In many of these cases both men and women who drink from an irresistible propensity, are very anxious to reform the habit, and they make promises, fully intending to carry them out, but are unable to do so; and in the beginning of many of these cases the fact will be utterly denied that the habit exists at all. I have also placed, for a time, attendants in houses with such patients, both in the middle class in life and in the poorer classes in life, who have been a kind of body guard to them, and who have forcibly prevented them from taking drink, and that for a considerable period; I have done so for as long a period as four years consecutively. In many of these cases one is threatened with an action, but that is simply a threat, which I never knew carried out: a man who gets into that state has but little purpose: however strong his intention may be at the time, he has not purpose to carry out anything which he may threaten. In the middle classes of life, of course they can well afford to pay, and I do not see any necessity whatever for special institutions; in fact, I think that they are far better treated in smaller houses; it has a more deterrent effect upon them, because if they once get into a large public place, and if it is known that they are there, they become careless as to who knows it; whereas, if it is a secret vice it may be almost done away with if the world generally does not know of it. Then, with regard to those persons who are in the lower orders, I feel quite sure that such institutions might be made very nearly self-supporting; for it is notorious that some of the very ablest mechanics and workmen are given to impulsive drinking, but not to continuous drinking; and in the county asylums as a rule they are the very best workmen whom they have in the asylums, but they are only detained there for a short period, and not sufficiently long for it to have any deterrent effect upon them; not that I am by any means in favour of keeping the patients for any very long period either in an asylum or in a reformatory, because if you do
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that you injure their family so much, that you pauperise them, and demoralise them, and also make them a charge to the State, whereas if the patient, the drunkard, or whatever you may call him, is put under care for shorter periods, his family in the meantime do not become a charge upon the State. I certainly would not connect these institutions either with an asylum or with a gaol.

649. Mr. Read.] Would you connect them with the workhouse?—I would not, but I think that they might be worked through the local government board very well indeed by an addition to the existing officials; and I think that paid inspectors, such as factory inspectors, should visit these persons from time to time as the Commissioners in Lunacy visit insane patients from time to time. I have never experienced any difficulty in finding room in my neighbourhood for any number of patients, either in farmhouses, cottages, or lodging-houses; and under proper inspection those patients can be just as well controlled as they can either in an asylum, or in a reformatory; of course at the present time no one has legal power to do so: you break the law, but if you like to break the law it can be very easily managed; that is my experience. I think further, that upon the information given either by any member of the family, a surgeon, or anyone who has an interest in any person who is known to be an habitual drunkard, a public official should intervene, because members of families very often simply dare not interfere for what they know would be to the good of the particular member of the family, because they are afraid of consequences; neither dares the medical man of the family intervene, because he is afraid of consequences; by “afraid of consequences” I mean afraid of incurring the ill-will of the patient, over whom they wish to exercise the control.

650. Chairman.] You have spoken of the question as respects the voluntary way in which patients have been induced to go into asylums, reformatories, and places of that description?—Yes.

651. Do you mean by that that they have been induced to go there by the entreaties and arguments of friends, or by the threat of some ulterior proceedings?—Generally by the threat of some ulterior proceedings, so that it is not really a voluntary act.

652. What ulterior measures could be taken?—No ulterior measures, except simply placing them in an asylum, which every man is afraid of, and does not know may not be his fate.

653. Supposing that there existed an easy and perfectly public method of interdicting either the person or the property of a man habitually intemperate and wasting his means; do you not think that a great many persons would voluntarily enter reformatories, rather than expose themselves to the publicity of such an investigation?—I do; that would be from fear.

654. And you think that that would be an indirect method of causing many persons so to commit themselves to treatment?—I do.

655. Are you aware that in some of the states of America and in Canada, there are acts of that description?—Yes.

656. You have spoken of the failure of a large number of these cases; is that because there is no legal power by which parties can be restrained either from going out or getting drink if they

choose?—In a great measure, but there are undoubtedly a very large number of cases which no time, or apparently no time, that we could give definitely, would cure.

657. You mean that there are a large number of cases so far diseased, that no amount of treatment will save those persons from their habit of intemperance?—Yes; and also they are of a low or bad moral nature, so that they cannot help themselves.

658. In your opinion, are those cases which have been thoroughly hardened by the habit of drinking?—Yes, they are all long-continued cases.

659. And if you could cut the habit of drinking earlier in its growth, the chances of restricting the number would be proportionately improved?—Immensely, no doubt.

660. Have you taken into your mind at all, at what period you would interfere in an intemperate man's course?—I would interfere when it was said by any member of his family, or anyone who was interested in him either publicly or privately, that he was either dangerous to himself, or dangerous to others, or wasteful of his own property by this habit.

661. Of course it is exceedingly difficult to lay down a legal definition, but supposing the necessity of making that definition, those are the limits which you would propose?—Yes; if the medical man of the family, or any public medical man who was called in for the purpose, was able to certify, as they do now in the lunacy certificates, that a patient had this habit of drinking, which was either leading him on to be dangerous to others, or might lead him on to be a charge upon the State, or to commit a serious injury to his own property, then I would interfere.

662. You have spoken of the residence of people of this description in smaller houses, and you have contrasted it with a residence in larger establishments. I understand you to base that upon the comparative privacy with which the treatment can be conducted?—Yes.

663. Do you consider that publicity would act as a deterrent upon the habit of excessive drinking; supposing that it were said to a man falling into drink, “If you do not take care you will be sent to one of these places of reformation;” do you think that that would have any deterrent effect?—I do, undoubtedly.

664. Then that would be in favour of public and well-known establishments?—It would be one point in favour of them.

665. I am now speaking of that class who furnish the patients of whom you have been speaking, namely, those who have gone voluntarily, or quasi-voluntarily into these retreats?—Yes.

666. On the other hand, do you think that on account of the publicity it would have an opposite effect with patients' friends, who would decline to place them there, or that they would decline to go?—I do, very strongly; I know such to be the case.

667. But suppose the power of interdict to exist?—Do you mean the power taken away from the friends?

668. Yes; if the power of interdict existed, so that you could send a person to a reformatory upon legal proof of his inability to restrain himself from drinking, and proof of his ruining his family; do you think that a public asylum would be against his recovery?—I do not think that it would be against his recovery, but I think that I

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have already said that the power ought to be taken away from the members of the family, who in very rare instances dare exercise that power.

669. You would very distinctly separate reformatories from lunatic asylums?—Undoubtedly.

670. And as it would be necessary to have some species of mental control, do you think that the controlling power might with propriety be arranged from amongst the authorities residing in any given locality?—Certainly.

671. You would remove it altogether from the scope of the Lunacy Commissioners?—I should.

672. You would separate it as far as possible from all question of lunacy?—I should.

673. Do you think that it would favour the action of these reformatories, that there should be a wide distinction between insanity, properly so called, and these forms of drunken inability?—I do.

674. Of course you have made a distinction between the brain disease which is the result of alcoholism, and delirium tremens?—Immediately there is brain disease then the case becomes a proper one for asylum treatment.

675. In your asylum, I suppose, you do not see very much of delirium tremens pure and simple?—No; we never get any patient unless he is another man's failure.

676. You get the result of delirium tremens, but very rarely the delirium itself?—Very rarely the delirium itself, unless it is so violent as to be really dangerous to others, or to the patient himself, and why I advocated private houses was for this reason, that not only patients, but their friends also, have a very strong feeling with regard to their being seen or known to be in a public institution, whereas they may be sent to Margate, or Ramsgate, or Scarborough, or to 50 other places, and not be brought into the publicity which residents in the first-named establishment would certainly produce. I have at the present time about 11 such patients in farm-houses at the seaside, or residing in furnished houses, under control of properly-qualified attendants, or residing in houses where I am assured that the proprietors of such houses will take full and proper care that they will carry out any instructions given to them with regard to drink.

677. In the treatment of these persons, would you entirely exclude, except for medicinal purposes, the use of alcohol in any shape?—Yes, I would. I have tried the other system too.

678. There are conditions, of course, in which a stimulus in some shape or other may become absolutely necessary for the preservation of life at the moment?—Undoubtedly. As a matter of treatment, I should exclude the use of stimulants after the medical reason for such stimulants was over.

679. You would enforce compulsory abstinence as a means of cure?—I should.

680. Do you believe that the only way for a man to keep himself straight, after he has once recovered from a condition like this, is to forego drink for the rest of his life?—In the majority of cases, undoubtedly.

681. Mr. W. H. Gladstone.] What proportion of cases, which have come under your charge, have you been able to trace to drink?—Fifteen per cent. in males, and about 7 per cent. in females. I am only speaking of Lancashire.

682. Do you consider that an ordinary habitual drunkard is affected by phthisical or nervous disorder, or is he generally only the victim of habit?—Only the victim of habit.

683. If he is only the victim of habit, do you think that the simple habit of drink has as good a chance of being cured by treatment as a phthisical or nervous disorder?—A better chance, because the one is a disease, and the other is not, but is a habit which you control at once.

684. But the difficulty is to eradicate that habit?—I do not speak of the eradication of it, but of its control. As far as my experience goes, not more than about 7 per cent. of the number of cases which I have seen have been cured. I took 100 cases the other day, and I found that in all but seven I had had something to do with them again in a greater or a less degree; but you must understand that, as respects many of those cases, I only had them for a short period, and in others I have exercised an illegal power for a much longer period, and those have done better.

685. What is the proportion of cures in the cases of ordinary mental disease?—In the asylum, of which I am the superintendent, the average is about 52 per cent. who are sent out recovered. There are relapses.

686. But you think that the disease to which the drunkard is subject differs from the forms of ordinary lunacy?—Undoubtedly I do.

687. Mr. Akroyd.] You consider the present law ineffective to deal with habitual drunkards, and you have shown to the Committee your conviction on that score by telling us that you have knowingly acted contrary to the law by detaining your patients 18 months, covered by an indemnity from the relatives?—I have not detained in the asylum, but I have detained them under care.

688. That shows your opinion that the present law is inadequate?—It is utterly inadequate, and I think that it might very readily be made adequate without going very much against the feelings either of the relatives or of the patients themselves.

689. And if the law were so altered as to allow the detention in a proper retreat of an habitual drunkard, by the recommendation of the family physician, you think that that detention in such an asylum would facilitate his cure?—I do.

690. I have listened with great interest to your mode of cure, and you have mentioned one course which appears to be a very desirable one, namely, allowing your patients a certain latitude upon parole; how many of them broke that parole; I refer to those whom you have had under treatment as drunkards?—That is rare; I am not now speaking from actual statistics, but I should not think that more than 10 per cent. would break their parole.

691. Before allowing an habitual drunkard to be set loose again on society, you test him?—Decidedly; I do not allow him his parole before I am satisfied that he has very considerable power of control.

692. When you have allowed a patient to go on parole, you have appointed others to be with him to have a surveillance over him?—Yes; and I have sent him home for a week or a fortnight, or any definite time, and he has returned to me.

693. You mentioned one instance when you continued that sort of friendly supervision for four years, but you did not tell us the result of that

that case?—The result in that case is not a good one, because he still requires supervision.

694. In that case was there any mental disease, or was it simply a bad habit?—He is rather a purposeless man; you cannot exactly say weak-minded, but he is a man of weak purpose; he is a man of good property and fortune.

695. You would advocate the formation of private retreats, as well as of public inebriate asylums, as a *dernier resort*, and as a deterrent in extreme cases?—Yes; and, further, I would exercise supervision afterwards, through some authority, such as the police, or the relieving officer, or some one in connection with the Local Government Board, who should for a certain period look after a man who had been in such an asylum.

696. You have made one very good suggestion; I speak now as a millowner, being under the Factory Acts; you have suggested that there should be an inspector of these retreats, both private and public, appointed by the Government to prevent any possible abuse and any arbitrary conduct?—Undoubtedly, and that inspector should be resident.

697. It is important to have an inspector of that kind?—Very important.

698. It would be his duty not only to see that the law was conformed to, but he should present an annual report to Parliament?—Yes; I may recall to your mind the case of a man in whom you were interested, who was sent under my care; he broke his parole, and I locked him up and put him in seclusion for it, and it did him more good than anything else; it made him ashamed of himself, but at the time he threatened all kinds of things against me.

699. Mr. Wharton.] I do not think that you have given us your experience as to the origin of these different cases of drunkenness; what temptation was the cause of those persons getting into these habits of drinking; have you inquired into that matter?—With those who get into the habit of drinking, it is simply an increasing habit, beginning by small degrees, and getting so very much larger.

700. Was it, in the first place, from the habit of going into public-houses, or from the habit of drinking in their own private houses, or what was the chief reason which was assigned?—Both; in the middle and the wealthier classes of life undoubtedly from a too strong social feeling, and in the lower classes of life somewhat the same, excepting those who were utterly morally bad in their habits.

701. Is there any course which you would recommend for stopping drunkenness in its very commencement, say, with the upper classes, who are not so likely to be taken up by the police?—I would give power to some authority to place over such a man, or such a woman, in his or her own house, an attendant or nurse who should exercise care, authority, and control over that person for a certain definite period; it would be so irksome to him that it would have a direct effect upon him.

702. You mean directly the habit was observed?—Yes; at present a man can say to an attendant or nurse who goes into his house, "Go out of it, I will not have you in my house;" but if that man or woman was obliged to remain there, I believe that it would have a deterrent effect upon him.

703. Mr. Miller.] That course would only be
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adopted in the cases of those persons who could keep such a man?—Then I would let some officer of the Local Government Board, or some State official, enter the houses of those who could not afford to pay for the services of such a person.

704. And remain there?—I would require him to go in from time to time, and say, "If you do not give up this habit further steps will be taken."

705. You have had considerable experience of the upper working classes?—That was when I was an assistant officer of the Lancaster County Asylum.

706. Did you find that when their pay was high they had so much money to spend that they were addicted to drink to a considerable extent?—Undoubtedly; so much so that it is well known in the manufacturing districts of Lancashire that very often Monday is simply put aside as a drinking day.

707. In your opinion, then, do high wages lead to drinking?—No, I should not like to say that; I did not say that it was a consequence of high wages, but it was a coincidence. In Lancashire, which is the highest paid county in the kingdom, drinking exists to this terrible excess, because a workman can afford to lose one or two days a week, and can yet make a great deal more money than ordinary labourers can earn in a week.

708. I think that that leads so far to this, that high wages not only give them money to spend in drink but lead them so to spend it?—Still I should not like to say that that is a consequence.

709. Supposing that you put under restraint a man or a woman who was a dipsomaniac, how long in your opinion would he or she require to be restrained before you relied upon a cure?—Each case varies; some are so utterly shocked and distressed at the necessity of coming under control, that they recover, so to speak, at once if they are ever cured at all, so that two or three days are as effectual in such cases as two or three months; every case varies, and must be judged upon its individual merits. That is why I say that I think it is so necessary that the district resident inspector should frequently visit these houses, or reformatories, and advise with a paid magisterial authority, whether the term of seclusion should not even be curtailed in many instances; you cannot exactly give a definite period.

710. Is disease which arises from drink, say, the case of a dipsomaniac, so well known to a physician, that the exercise of the power of restraint would not lead to taking hold of people who were not of the right sort?—That certainly might obtain, but it could not obtain for long.

711. The disease is perfectly well known to a physician; a physician who understood his business could judge as to who was a right person to take and who was a wrong person?—Undoubtedly, and he would simply advise a higher legal power; it would not be merely upon the physician's certificate.

712. So that any intention of the friends or relatives to put a person under such restraint, could be checked by the knowledge of the physician?—Undoubtedly; it might likewise be aided by the knowledge of the physician.

713. Mr. Read.] You do not think that any
modification

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Mr. Mould. modification of the lunacy laws would meet this case?—I do not.

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714. You think that it would be better to have a new class of inspectors, and you would not utilise the Lunacy Commissioners, who are gentlemen who are pretty well paid, and have not very hard work?—At the present time, they can only visit once a year in places, and sometimes at longer periods than that; I think that it should be dissociated from lunacy.

715. I suppose that a gentleman who was thoroughly competent to act as a Lunacy Commissioner would have a sufficient knowledge of brain diseases to be a fair judge of these cases?—Do not let it be supposed for one moment that I think the Lunacy Commissioners not fully competent to be the inspectors, but I think it necessary for the working of the proposed law, and really as a protection to the patients themselves, that these houses should be visited very frequently.

716. How often?—Once a month, at least.

717. By the inspector?—By the resident inspector. It would be very easy to combine the office of inspector of those places with the office of sanitary inspector.

718. Is a dipsomaniac at all likely to transmit his failing to his progeny?—Yes, if he begets children during the time that he is suffering from such a disease.

719. Does the unfortunate individual who inherits this failing ever break out at once, or is it generally developed by tippling?—It is generally developed by tippling; it takes even a very violent and dangerous man three days to get into a very violent and dangerous state.

720. Has your attention been at all directed towards the punishment of what we may call the habitual tippler, rather than the confirmed dipsomaniac?—Do you mean the punishment of being sent to prison?

721. Yes; do you think that it has a good and deterrent effect?—I do not,

722. Have you in any way given your attention as to how we can better stop such a course?—I would send him to a reformatory, or house where his labour would be remunerative, and where he would not be a criminal, and disgraced for the remainder of his existence; in the one case it makes him apparently commit a crime, and in the other case it is a matter of indiscretion.

723. Have you considered whether we might not have some more summary and easy method of punishing a fellow who gets drunk, say, every Saturday night, and staggers about the road, and is a nuisance to a country village; could not we have some summary and easy method of punishing such a man, rather than sending him to prison?—I would put that man under private surveillance at once.

724. What has been the average length of detention of your private patients?—The longest time has been four years, and the shortest a fortnight.

725. I think that in answer to the Honourable Member for Whitby, you said that you did not think that more than 7 per cent. of these cases had recovered?—That is my experience; they relapsed in a greater or less degree.

726. Supposing that you had the law on your side, and could detain them as long as you thought right, do you think that you could in-

crease that per-centage?—Yes, undoubtedly, or by secluding them as long as necessary.

727. Dr. L. Playfair.] I understand you that you would have both the voluntary and the compulsory system, that is to say, that patients would go in voluntarily, and then be retained by law until they were cured, or until attempts were made to cure them?—Yes; I mean by that the power of enforcing the detention, so long as it was agreed upon by the patient himself voluntarily going in.

728. You would not enforce it beyond the voluntary time for which he agreed to go in on entering the asylum?—Certainly I should, if the object were not attained.

729. Then, in fact, you recommend very much the same thing as has been recommended as a mode of hospital treatment by the Contagious Diseases Commission, namely, that patients should go voluntarily into the hospital, but be compulsorily detained until they were cured?—I do, to that effect; I do not mean to say that I would break faith. In the first place I do not believe at all in voluntarism in these matters.

730. Then, in fact, that voluntary system breaks down?—Undoubtedly.

731. We come then to the compulsory part of it; you would place a man compulsorily in an asylum when he was dangerous, as you have said, either to himself, or to his family, or to the public, or wasteful of his means?—Yes.

732. Is not that a very large power to hold over society; why, for instance, have you a right to place a drunkard in custody because he is wasteful of his means, and not place another man in custody who is equally wasteful of his means, and equally wasteful of the means of his family, an utterly extravagant man, for instance?—Because one may lead to disease, which may engender crime, and the other does not.

733. You do it because it is an incipient stage of disease?—Yes; I would deter him from ever getting into that state. I think that they are two very different propositions. A man who wastes his means in drink, if he is not deterred, generally falls into crime, dangerous either to himself, or to others; a man wasting his means upon drink is getting into disease.

734. You would do it because you think that drinking is the first stage towards disease?—I would.

735. Is that in itself sufficient. Supposing that a man is utterly wasteful of himself and of his health, and that his conduct necessarily leads to disease by his extravagance and his dissolute habits, is that a reason for putting him under detention?—Yes, you already do that in a certain degree in cases of threatened suicides.

736. I am taking merely the case of dissoluteness, where a man equally produces disease without being an habitual drunkard; would you consider that the State was justified in putting him in detention because he was wasting his means in a dissolute way which led to disease?—No, because another form of dissolute life would not lead to disease which required State intervention.

737. It very often leads to disease which produces hereditary disease in the man's family?—Yes, but it does not require State intervention; it does not interfere with the welfare of others.

738. I am

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738. I am not sure of that if he is wasting his family's means?—I mean their well-being or welfare.

739. Take the case of dipsomaniacs: why should you not do the same to kleptomaniacs; if you have a man with kleptomania who is dangerous to the public, and is always interfering with the property of others, why should he not be detained in the same way as a dipsomaniac?—He is.

740. Not necessarily?—Under the lunacy laws there is power to detain a kleptomaniac in an asylum.

741. On what evidence?—On the evidence that he has an impulsive desire to do what is wrong, and that he is not under his own control.

742. Then that would be a good argument for your extending it to dipsomaniacs?—Undoubtedly.

743. Do you make no difference whatever between a man actually insane, such as a dipsomaniac, or a kleptomaniac, and a man having merely bad habits, such as an habitual drunkard?—I say that in the one case, where the drinking arises from mental disease, that patient should be placed in an asylum, where you can treat him for mental disease, and not in a reformatory at all; but where it is the result of a bad and vicious habit, such a man should be placed in a reformatory, or a house or a place where proper control could be exercised over him.

744. You said that under such circumstances you could not recommend long periods of confinement, because those persons were poor, and their families were generally thrown upon the State; and therefore you would recommend short periods of confinement?—I would.

745. Would short periods of confinement be at all likely to cure them of confirmed habits?—I would begin earlier, before the habit became so confirmed.

746. I do not exactly understand your definition when you would begin; because you would only begin when they became dangerous to themselves or their families, or wasteful of their means?—I meant to say that I did not approve of long periods of detention, because of the very disastrous consequences to the family, and that short periods very frequently had a very deterrent effect. In some cases I have seen three or four days have as good an effect as the same number of months.

747. In the large number of cases, above 100 which you have had, with that power judiciously exercised, you only cured about 7 per cent.?—Yes; I had not the power, though I exercised it to a certain extent.

748. Do you think that short periods would effect cures anything comparative to the enormous expense to the State?—I do not think that the expense to the State would be large, because most institutions would be almost or quite self-supporting.

749. But the inspection would be paid for by the public?—Yes.

750. Would not that be very large all over the kingdom?—No, because it would be attached to existing offices; for instance, inspectors of factories, sanitary officers of large towns, and sanitary officers of districts; there are inspectors already all over the county.

751. You would employ those inspectors with additional remuneration?—Yes; I think that the inspection should be very full and very free.

752. Is it your experience that there is a great deal of opium taken in the community?—No, not a very large quantity.

753. You have not many persons sent to your asylum from that cause?—Very few.

754. Colonel *Brise*.] I think that your experience is principally with the middle and upper classes?—For the past 10 years it has been so; I was four years in a county asylum with 1,000 patients.

755. You have not had much experience of the lower classes?—For four years I had experience of them.

756. I understand that you have 135 patients in your asylum, and 120 out-patients?—No: I have 135 patients in the asylum; I did not say that I had any out-patients, except those who reside in such places as I have mentioned; I said that I have at the present time 11 patients who reside in farm-houses, or furnished houses, or cottages; I said that I had had 120 cases of dipsomaniacs, or habitual drunkards in 10 years' time.

757. The average detention of these 11 out-cases, you say, is about 18 months?—Yes, from a fortnight.

758. And, as a rule, you have generally found that they have relapsed?—Yes.

759. I think you also said that in these out-cases, if they were disobedient to orders, or refractory, you punished them?—Yes.

760. How do you punish them?—By the deprivation of a privilege, such as allowing them to go out alone, or, if they get excited, I lock them up, just the same as an ordinary patient, and I put them in seclusion.

761. You would not put the institution which you recommend under the control of the Lunacy Commissioners, but rather under the control of the sanitary inspectors of the division?—I would put it under the control of the resident inspectors, and you might have a central office in London, to whom they might be responsible, such as the Local Government Board, or the Lunacy Commissioners.

762. Would you have it under the control of the magistrates in any way?—Undoubtedly.

763. And you think that it would be self-supporting?—In all the middle classes it would be fully self-supporting, and it would not be a great expense in the lower classes, because their work would be so remunerative.

764. Sir *H. Johnstone*.] Have you observed an increase in the drinking of women at all in the last few years?—Yes, certainly, in my experience I have. I have had many more under my care. I am speaking now of the boarders.

765. Can you fix any time since it has increased, or has it been a gradual increase?—It has been a gradual increase.

766. With respect to those persons who have been under your care, have they after they have been once deliberately returned home, ever expressed any wish to return to your care?—Yes.

767. In consequence of that wish, have they come back spontaneously?—Yes, I have had many such instances; it is the first coming which they feel so strongly, because undoubtedly a prejudice attaches to any one who has been in an asylum, which is not at all warranted by the facts, but still it does obtain very strongly.

768. I suppose you have statistics of the number of those who have been under your care more than once, twice, or three times?—I have not them

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them with me. I can call to mind one lady who has been with me 30 times in 10 years.

769. You have not had her long enough to cure her?—No, because at the end of a month or six weeks she has been well enough for me to let her go, at the instigation of her friends. The longest time was 12 months, but she went out usually in about a month.

770. What would you recommend in a case of that sort?—I should keep her entirely under supervision.

771. For the rest of her natural life?—Certainly.

772. Have you reason to believe that this patient is under supervision after she has left your hands?—I am sure that she is not.

773. She is not under supervision of any kind?—No, because she has property of her own; she is wilful and does just as she likes.

774. You, of course, would not class those persons who drink themselves into a state of great excitement with the maniacal sufferers from mental disease?—No, the latter I should decidedly put into an asylum.

775. But of course chronic drinking eventually leads to that?—Yes, to general paralysis.

776. As to this power which you seem to have exercised, as you say illegally, do you not think that the evil of letting those persons remain without treatment is a greater evil than the exercise of this arbitrary power?—I very strongly advocate the power to do legally what I have done illegally. I have taken an indemnity from the friends, and I have been threatened with a great many actions, but that did not matter the least in the world.

777. Do you wish to tell the Committee that your argument for confining drunkards is strongly in consequence of the notoriety that many crimes are caused by drunkenness; has that ever weighed with you in exercising this power?—Undoubtedly it has.

778. I suppose that in a very large number of examples you must be aware that crimes are committed either in a state of drunkenness, or subsequently to a state of drunkenness?—Undoubtedly.

779. That of course would be a strong argument in your mind for wishing to have a permanent detention of drunkards before they get into this savage state?—It is the strongest argument which I have for doing legally what hitherto has been illegal.

780. Major Walker.] You mentioned that in your own experience not more than 7 per cent. of cures had been effected among this class of patients?—By cures I mean patients who, during my 10 years' experience of them, have not relapsed into their previous bad habit.

781. You also anticipate that, with the legal powers which you advocate, you might increase that percentage to some extent?—Yes, and more than that; if I could say to any patient, "If you relapse into that habit I shall have you back again at once," it would have a very important effect.

782. It would make a considerable increase upon that percentage?—Undoubtedly.

783. Taking the fact that excessive drinking in the country is a great national evil, what relative importance would you attach to a large system of voluntary or compulsory asylums, with a system of inspectors and inspection, such as you have recommended, compared with a great

reform in the licensing system, which would very much lessen the facilities for obtaining drink, and would regulate the liquor traffic; which of those courses do you think relatively would have the greatest permanent effect in reducing drunkenness in the kingdom?—The control exercised over those who get into vicious and bad habits, but it might be supplemented very largely.

784. You look upon that as the more important of the two?—I do; but, of course, I speak with experience of one, and with a limited experience of the other.

785. Lord C. J. Hamilton.] I understand that you advocate the detention of drunkards on behalf of society, as well as on behalf of themselves?—Almost more so.

786. And you have not a fair hope of being able to reclaim many of them from these habits of drunkenness?—With my present experience I have reclaimed in that way comparatively few; I do not mean to say that if the power had been larger the result might not have been much greater.

787. But still you believe in the efficacy of such treatment, if it were possible to carry it out?—I do, undoubtedly; and further, I may state that even as regards these patients, whom I speak of as having relapsed, they for a time have been saved either from themselves or from committing some crime.

788. To be consistent, you must extend such a system to all classes alike, both rich and poor, the higher and the lower classes?—Undoubtedly. I think that I have advocated that already. What I said with regard to the poorer classes was, that it was very hard upon a man to place him in an institution for a prolonged period, and to impoverish and demoralize his family, or to pauperise the family and to make them a charge upon the State; whereas in such cases, by more frequent committals, if one may use such a term, or by constant inspection putting them under the surveillance of the police, or the Government Local Board, you would exercise a very large deterrent influence upon the poorer classes.

789. You have stated that you would employ those poorer classes at remunerative labour?—Yes, they are already so employed in the county asylums, and they are among the very best in those asylums.

790. The rich classes would pay for their own maintenance?—Yes, undoubtedly.

791. How would you employ the time of these richer classes; say, for instance, a wealthy gentleman whom you had with you for six months or a year?—I should send him fishing, or yachting, or hunting.

792. But always under surveillance?—Yes, with power to knock a bottle out of his hand. I had a man to whose attendant I gave authority to take the bottle out of his hand, and he did so.

793. Did he find this restraint become very irksome at last?—Very irksome, and therein was the cure.

794. Did he not attempt to break away?—Yes.

795. Still he never succeeded in getting away?—No.

796. You never found it lead to suicide?—No; it leads at times to assaults upon the man who has to exercise the restraint, but that he has to bear.

797. How

797. How would you consider that the inspectors should be paid; should they be paid by the county, or by the State resources?—They should be paid by certain fees received from the patients in the case of those who could pay, in the same way as is now done with private patients in private hospitals. Each patient who could afford to pay at all should pay proportionate fees, which should be paid into a common fund, which should go as far as possible to pay the inspectors.

798. You would not have a sliding scale in proportion to a man's income, would you?—Most undoubtedly I should.

799. Suppose that a man had 20,000 *l.* a-year?—I should not go to that extent; a man would pay 10 guineas a week or would only pay 15 *s.* a quarter; you would have a maximum and also minimum. That is how the two visiting physicians who visit asylums are now paid. I am the superintendent of a public asylum, which also takes private patients, and the fees from patients in a place like that amount to 600 *l.* a-year, simply paid in 15 *s.* and four guineas a quarter.

800. Mr. *H. Samuelson.*] Do you think that the greater proportion of habitual drunkards are incapable of being cured?—I am sure that they are not incapable of being cured, if they are taken in time, and if you exercise a statutory power over them.

801. The difficulty then is to find the exact time when you should take them?—Yes, I am afraid that you could not take them until it was shown that they were either dangerous to themselves, or dangerous to society, or so wasteful of their means as to injure their families.

802. Would you render it necessary to have a certain number of convictions before a magistrate?—I would not have one if I could help it.

803. Do you not think that that would be putting a very great power into the hands of the family?—No, not one family in a hundred dare now to exercise it.

804. It is not legal now?—No, but even if it were legal, odium attaches to the husband who puts in the wife, or the wife who puts in the husband, or the brother who puts in the sister; there is a very strong feeling upon the subject now.

805. It requires to be very carefully guarded?—Yes, and that is why I advocate constant supervision by independent authority.

806. *Chairman.*] In reference to a question which the Noble Lord put to you just now, have

you heard that in the county of Kent, and also, I believe, in Yorkshire, there are proprietors of private lunatic asylums who keep packs of hounds for their patients to hunt with?—I keep one myself; at least a pack of harriers.

807. Mr. *W. H. Gladstone.*] I think that there is a little ambiguity in what you said about the cures, because you mentioned 15 per cent. of the cases under your charge?—I was then speaking of patients who came to the asylum; the certificated patients for mental disease, and in the seven per cent. I was speaking of lunatics.

808. Fifteen per cent. of the cases were traceable to drink?—Yes.

809. And seven per cent. were cured?—No, the seven per cent. referred to voluntarily patients.

810. Mr. *Read.*] With regard to the number of insane persons who are generally cured, did you say that the proportion was as much as 52 per cent.?—I was speaking of the asylum of which I am superintendent.

811. Do you mean to say that more than half the people who go in there are so effectually cured that they have no relapses?—No, I mean to say that of the number of patients during any one year, the average number of recoveries would be 52 per cent., that is to say, that those persons would be sufficiently well to resume their occupation, and to be free from all mental disturbance apparently; but every patient is liable to relapse.

812. You say that these 52 per cent. are sufficiently cured to go about their usual avocations?—Yes.

813. But they are subject to relapse?—Yes.

814. When you said that seven per cent. of your private inebriates were cured, did you apply the same thing to them?—No, I mean that 100 per cent. of cases are apparently cured and are sent out free from any mental disturbance; nearly every case which comes in voluntarily, unless it is a very confirmed case, goes out, so to speak, cured, but I was speaking of the relapses, I meant that only seven out of 100 had not relapsed.

815. I do not exactly understand whether you put that relapse over the whole period of time of which you have any knowledge?—Yes; I do over 10 years time.

816. And in the other case you take merely one year?—Yes.

817. That makes a very great difference?—It does.

Dr. CHARLES ROBERT BREE, called in; and Examined.

818. *Chairman.*] YOU are a Physician in practice, I believe, in Essex?—Yes, at Colchester.

819. And you were formerly in practice for many years as a general practitioner?—I was, in Suffolk.

820. During the years of that practice have you been largely brought into contact with drunkards generally?—Yes, very considerably I may say.

821. Has that been principally in the agricultural population?—I have lived for 26 years among an agricultural population, and during the last 13 years I have resided in a town, so that I have had opportunities of seeing drunken-

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ness, both in town and country, during a period of about 40 years.

822. For several years also have you had a magisterial knowledge of the subject of intemperance?—I have been 22 years a justice of the peace. In Suffolk I acted as a justice for eight or 10 years, when I was intimately acquainted with the poorer classes all round me; more so than I am at present.

823. Have you any particular knowledge of cases of insanity arising from intemperance?—I have no statistics of my own, but as a justice of the peace I have got them from the asylum in Essex, and in Suffolk also.

824. Will you have the kindness to put them in,

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in, or to read them?—The return which I have in my hand is from the asylum at Brentwood, from Dr. Campbell. I have asked him for 10 years; from 1862 to 1871 the number of admissions into the asylum was 1,681. The number of cases caused by intemperance was 139, being 106 males and 33 females, and the total gives one in 12. In Suffolk, Dr. Kirkman, the superintendent, is ill, and cannot make out the return, but he says, “I now send you an extract from an early report of mine, 1844, in which you will see a calculation on 14 years of our intemperate admissions. I find on an average of the last 10 years the per-centage has been six a year.” In his report in the first 14 years it was about seven per cent., and this paragraph refers to the last 10 years as being six, which is very much lower than the ordinary idea of those cases.

825. Can you state the average of the per-centage?—I cannot, because I have no figures to guide me there. Dr. Kirkman is in a very bad state of health. I will read a part of his report. He says, “Intemperance does not appear to be the cause with us, beyond the proportion of seven per cent., and by taking the calculation either on our late annual admissions, or upon a general estimate of 14 years, there is not much beyond a fractional variation.” That is up to 1844. He says, that in the last 10 years, up to the present time, the average per-centage has been six a year.

826. If you have any other figures we will finish the statistical part of the examination first?—I have no more statistics connected with my locality than those.

827. Have you formed any opinion upon the necessity of legislating on the question of constant drunkenness as a social evil?—I have no doubt whatever, in my own mind, about its necessity.

828. You have no doubt of the high importance of dealing with it in some way?—Almost every man could detail to you cases which would make its necessity perfectly clear; cases productive of the most complete misery.

829. Have you considered in your own mind what form that interference should take?—I think that I would treat a man who is an habitual drunkard in the best way to cure him, which is simply to confine him, and not allow him to have any intoxicating drink at all. I should cut it off entirely until he got better, and after he got better he might be turned out, and if he was sent again he would very soon derive the benefits of it in every way. There is no reason why you should not get a perfect cure; almost all these cases of intemperance are cured in asylums as a rule.

830. Should that legislation be in the form of voluntary or compulsory interference with these cases?—I think that there ought to be certain protections. I may suggest, for instance, that in the case of an habitual drunkard I would have the nearest relative, and also the minister of his parish, and one, if not two, medical men, before I should allow him to be placed in confinement, so as to protect the liberty of the subject, interference with which, of course, is the great danger in a matter of that kind. To set against that you must remember those places would, of course, be inspected, and every man who was perfectly well would be turned out; he would not remain in long.

831. Have you heard the evidence which Mr. Mould has been giving upon the subject of the

treatment of habitual intemperance in various ways?—I did not hear it very clearly.

832. Have you any views of your own upon the particular way in which you would deal with these cases?—I think that the great effort which should be made is for the prevention of drunkenness. There are three or four very important points. First of all I think that we ought to have industrial schools, so as to educate the girls, particularly, so that they might make good wives, and make the homes of their husbands comfortable and happy, and not drive them from home to public-houses. Then I think that the Legislature ought to interfere as far as possible in making the houses of the poor in every respect habitable places, and comfortable and healthy. Of course that is a delicate point. Then I think that in all large towns, and in the country certainly to a certain extent, there ought to be some place of amusement for these men after they have left off work. At present the men go from work into the town, and they have no other place of resort but the public-house. More use ought to be made of the Public Libraries Act, which is now a dead letter, if the publicans raise their finger against it. I tried to introduce it last year in Colchester, and the publicans collected great masses of people who howled it down, and it had not a chance. If you had places where men could smoke their pipes, and have a cup of tea and read their papers, it would prevent their going to the public-house.

833. I suppose that you in this have reference to the initiatory stage of intemperance?—Yes; my profession leads me to go to the cause, so as to cut off the disease.

834. As a magistrate, are you satisfied with short sentences for drunkenness or minor offences connected with drink?—Yes; I am quite opposed to long sentences as a rule; short sentences are in many criminal cases much more satisfactory. The amount of crime produced by intemperance amongst the agricultural population is perfectly fearful; there is no question about it, it is now a foregone conclusion; we do not require any evidence about it.

835. In the case of a person thoroughly addicted to drink, is the sending him to prison for seven or 14 days of any sort of use as a deterrent?—The ordinary sentence is a fine of 5 s., or to send him for seven or 14 days.

836. But do you think that that has any real deterrent effect?—I do not think that it has much, at least I am afraid not; I am afraid that we do not deter drunkenness by legislative means of that kind.

837. I believe that you think that the per-centage of insane cases directly attributable to drunkenness is less than is ordinarily believed to be the case?—As far as I can judge from the two large agricultural counties, Essex and Suffolk, it is very much less; there is no question about it.

838. The population amongst whom you have been living all your life are not at all a notoriously drunken people?—No, I do not think that they are notoriously so, but there is a great amount of drunkenness, and a great amount which never comes before the public.

839. Are they for the most part beer drinkers?—Yes, as a rule; they drink beer and porter.

840. Has it ever happened to you to make any inquiry as to the proportion of cases coming before you as a magistrate, in which the drunkenness is the result of beer as compared with spirits?—No, I never made any comparison of that

that sort; a fact of that kind would be very difficult to get at.

841. *Mr. W. H. Gladstone.*] You have spoken of the desirability of preventing drunkenness, but the matter in contemplation is entirely an attempt to cure it, is it not?—Yes; I only suggested that I thought that prevention was better than cure.

842. Would it not be very difficult to tell when a patient was cured, because most people recommend total abstinence from drink during the time, so that it would be impossible to test his inclination?—There are many of those cases; the habitual drunkards are positively insane; they are insane people with lucid intervals, more or less, consequently there is a certain amount of brain disease to get rid of, and they require a certain amount of treatment; a man might not be safe for a very considerable time to be let loose again.

843. After all, that class forms only a small proportion?—I would not make the slightest distinction in classes; I cannot see the least use in it.

844. I mean that the number which you call insane is a very small number of the whole class of drunkards?—Yes, certainly.

845. You would not object to placing under restraint persons who were inclined to drink, but who were not insane?—I think that you might easily define what an habitual drunkard was short of insanity. I know a case which very lately came under my own observation, in which a man entirely killed his wife by getting drunk and coming into her sick room and worrying out her life, until she died. We got her away, but he took advantage of the law and assumed his marital rights. That man was as much responsible for that woman's death as if he had poisoned or shot her. I do not know how you are to meet those cases if you do not do it by confinement; it is the kindest and best thing towards a man in that position to confine him and keep him away from drink.

846. You would rather suggest that a man being dangerous, or being violent, would be a good test as to when the law might interfere?—I think that the violence is one element which might be taken, but the frequency of the recurrence would be the principle test. For instance, many men are drunk three days out of five, for almost all their lives; those men are at large; they are considered to be sane people, but they are not. I do not think that they are sane people; of course they are responsible to the law as sane people, and therefore I merely give it as an opinion.

847. When they are sober they are perfectly sane?—Yes, and so is a monomaniac. A monomaniac is perfectly sane except upon one point; a man may be insane upon one particular point, and may be perfectly sane upon every other.

848. May a man have perfect self-control when he is sober, and then be all of a sudden subject to this impulse, and morally unable to resist it?—Yes, it is so.

849. *Mr. Wharton.*] You spoke of the poorer class; what should you say to dealing with habitual drunkenness with reference to the number of convictions in a certain limited time, say, in a year?—I do not think that you can rely upon convictions, because convictions very often take place according to the peculiar place where the drunkenness occurs; there are some places

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where it is treated lightly, and where the police take little notice of drunkards.

850. What other basis should you proceed upon?—You might have the testimony of the minister of the parish, and one or two medical men, who had known the man and his habits; who had known him and had seen him in that position; I would fence him round with all possible protection, but would still let the remedy be applied.

851. Do you not think that there might be considerable amendment in the law relating to the punishment of drunkenness by fine and imprisonment, if there was a recognised cumulative scale of punishment; that is to say, if it was well known amongst drunkards that on their first offence there would be a certain punishment, such as a slight fine, and on the second offence a considerably higher fine, and for a third offence an imprisonment; in a word, where they should be able to work at a trade, do not you think that a system of cumulative punishment of that sort would more likely to be deterrent than the present system, where the punishment is very much varied according to the will of the magistrates?—That would be very much more severe upon the man, and very much more disastrous upon the family, than if you merely shut him up and cured him of his complaint. I think that the confinement would be much the least punishment of the two.

852. We have had recommended to us a large room where a number of men might be confined, who would work at their trades, and it has been shown to us in evidence that a man might make as much, or even more than if he was at large?—I will agree to anything if you avoid the gaol; it is the gaol to which I object, but otherwise I quite agree with a plan of that kind, and nothing could be better; let a man by all means work at his trade all the time.

853. You think that if you had a slight fine, and then a heavier fine, and then imprisonment in such a place as that, it might have a better deterrent effect upon drunkenness than the existing law?—It would be a great improvement upon sending them to gaol; I think it a very bad plan to send drunkards to gaol at any time; drunkenness is a crime to a certain extent, but it is not a crime like that committed by those with whom they associate in gaol, and they get a great deal worse by being sent to gaol; it is almost as bad as sending children, who should never be sent, to gaol.

854. *Mr. Birley.*] You would keep them under restraint, you would not send them to gaol; would you place them in a public asylum?—I would place them in an asylum expressly for dipsomaniacs.

855. Suppose the man escaped?—The responsibility would then be thrown upon the master of the place; it would be a gaol, but not a county gaol; it would be depriving a man of his liberty, but not associating him with felons, that is where I think the whole thing resides.

856. As I understand you, you do not anticipate any great difficulty in confining an habitual drunkard?—No; I think that it could be done if it was done upon the testimony of his nearest of kin, and of the minister of his parish, and one or two medical men.

857. Would not medical men differ?—Not upon habitual drunkenness; they do differ upon other things; there are many cases of habitual

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drunkenness which never go beyond the medical man.

858. You are now speaking of men in easy circumstances, who have medical men?—Yes.

859. But with the poorer classes it would not be so easy, would it, to apply that test?—I think that it would, because the parish surgeon knows every person in the parish, and all the circumstances, and sees the misery of the wife and children, and knows the cause of it, and his attention is very early drawn to it.

860. Under what circumstances would you release them?—I would release them according to the severity of the case as it originally existed and its complication with mania, leaving a discretion with the superintendent.

861. The superintendent would have, I suppose, to apply to a magistrate?—That would be a matter to determine afterwards; it is rather a nice point as to releasing them; you might give power to the justices to send them, as is done with children, to a reformatory for two, four, or six months.

862. In your experience are habitual drunkards often reclaimed?—Not often.

863. Do you think that they might be reclaimed more easily?—Yes, and I think that a vast amount of drunkenness might be prevented; I think that the reclamation of a drunkard is the most difficult of all things when it has become habitual; I mean if you leave a man to his own resources; if you compelled him to live without his drink, and sent him back again as often as he again fell into his bad habits, then in time you would cure him, because he would see the benefit of living without it.

864. Mr. Read.] I think that you have said that a large per-centage of the crime in the agricultural districts is attributable to drunkenness?—I think so, and associated with the fact of their congregating together in beershops and public-houses; it is a great mistake allowing them to congregate together, and drink freely, and get drunk, and make all sorts of plots for poaching and stealing, which is usually done at the public-house.

865. You do not think that crime is on the increase in the agricultural districts?—No.

866. Nor drunkenness?—No.

867. But a good deal of drunkenness exists, which does not come before the public?—Yes; there are more drunken people, but not more, I think, in proportion to the population.

868. Did it ever strike you in the country districts, that one of the main reasons why drunkenness is not more frequently punished, is the very round about way that we have to go in punishing it?—I think that it very much more frequently arises from men not being taken into custody from instructions to the police, particularly in boroughs.

869. I do not talk of boroughs, but of the country districts; for instance, supposing that a man was staggering about the streets on a Saturday evening, and creating a disturbance, what would you do with him?—The police in that case would for a certainty take him up.

870. There is no policeman; a policeman in the agricultural parishes has generally four parishes to look after; you must first of all find the policeman; if he happens to be on the spot it is very well, but you have first of all a difficulty in finding the policeman, and then what would you do with the man?—You would lay

your information against him, or tell the policeman to lay an information against him, and get your witnesses to prove that he was drunk.

871. You fine him 5s.?—Yes.

872. And the costs are 13s.?—The costs are generally with us 9s.

873. The costs and the fine are, say, 15s.; he cannot pay it, and he goes to prison for seven or 14 days?—That is under the recent Act; under the old Act you could not send him to prison at once, but could merely distrain his goods.

874. Is that a satisfactory way of dealing with drunkenness in the agricultural districts?—I think not.

875. If there were a more easy and summary way of punishing him, something which would be discreditable, such as putting him into the stocks, do you think that it would be better?—No, I am certain that that is a thing which can never be done again in the country.

876. I mean a more summary mode of punishment?—I do not think that that would do.

877. Dr. L. Playfair.] From your large experience as a physician, and a magistrate, do you think that there are many cases of habitual drunkards who do not come at all under the cognisance of the police?—I do.

878. Do you think that the proportion of them in the districts with which you are acquainted, is larger than of those who do come under the cognisance of the police?—No, I think not. I cannot tell the proportion, but I know that there are numbers who never do come under the cognisance of the police.

879. Are you aware that there are 38,800 cases of persons who are brought up every year before the magistrates for habitual drunkenness?—We have no such charge as habitual drunkenness; it is the first and second offence.

880. In 1870, there were 29,400 males, and 9,400 females, brought before the police for habitual drunkenness in England?—They are only charged with the fact at the time; you cannot charge a man with cumulative acts of drunkenness, and therefore the term "habitual" there is evidently misapplied.

881. With what proportion of cases should we have to deal according to the plan which you propose, namely, that we should detain compulsorily all habitual drunkards in the country for their reformation?—We have had hitherto no means of classifying them; we have no statistics which will give you the slightest information upon the subject.

882. Are not there criminal statistics to that extent, that there 38,000 cases of persons yearly brought before the police?—For drunkenness. The word "habitual" must be a mistake, because the law does not recognise such a charge.

883. But I suppose that you think that such cases would generally be habitual?—Probably. Sometimes we have eight or ten young fellows in one parish brought up one after the other. I have such a case in my mind at this moment. You cannot call them habitual drunkards; an habitual drunkard is a man who gets well from his drunkenness, and then in a greater or shorter time returns to it for a certainty.

884. You have stated that you would not draw the line that such power should be exercised over a man if he had been twice or thrice committed, but that you would carry it to cases where there had been no committals at all?—I would not have any committals except to a place which was not a gaol.

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a gaol. I would treat it as a reformatory, and I think that the justices' sentence should be in the same way as you now send boys to a reformatory school.

885. But you would allow the family to take measures before the man had been brought before the magistrate at all?—Certainly, if you could devise a way to do it.

886. Would there not be an enormous extent of reformatories which must be created throughout the country for such purposes?—I think not.

887. If it is the case that annually 38,000 people are before magistrates by the police, and if those are people likely to become habitual drunkards, does it not indicate that it is a deep-rooted evil, which we must meet by extraordinary exertions?—There is no doubt about the evil being deep-rooted. Does that number include Scotland and Ireland?

888. I think not: I take it from the evidence of Dr. Crichton Browne, who gave evidence here on Tuesday; I have not the statistics before me, but I think that it is in England and Wales; taking that as an indication, you would also include a large number outside that range altogether, namely, persons who had never been brought into connection with the police in any way?—Yes.

889. Is not it an enormous extent of reformation which you would recommend us to undertake?—No, it is simply this; my opinion is that the habitual drunkard, whom we wish to treat in this way, very rarely comes before the justices; he is cunning enough to keep out of the way; it is the ordinary drunkard who comes before the justices, and therefore I would not apply the rule of the reformatory to all cases of drunkenness. You must allow the law to take its course with those cases in ordinary circumstances, but you would confine the habitual drunkard, and that is the man whom you especially want to treat.

890. Then you would take it with a very careful definition, and would surround it with safeguards in order to limit the area?—I would, and to comply with the popular feeling.

891. Do you attach more importance to the preventive measures which you propose, such as education and the improvement of dwellings, and the improvement of the labouring classes, or to the curative means?—I have no doubt that preventive means would in the end lessen drunkenness much more than repressive means.

892. Mr. II. Samuelson.] Do you think that confinement would cure a large proportion of habitual drunkards?—A great proportion.

893. Do you think that the fear of confinement would cure still more?—I think that it would have a still more salutary effect.

894. Do you believe that many men would go voluntarily into inebriate asylums?—I have no doubt of it.

895. If they did so, would you keep them until they were cured, or would you let them stay only for a certain time?—That is a matter of detail.

896. If they only went in for a certain time, when they recovered from the effects of drunkenness they would probably get drunk again?—I think that each particular case ought to be treated upon its own merits; of course with an habitual drunkard you would not accept a limited confinement as a means of curing him.

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897. You would make the reformatory self-supporting?—Yes, by the work of the people, and also by making all people pay who could.

898. And the excess which a man earned over the amount sufficient for his support would be given to his family?—Yes, or to repay the expenses upon the rates which the family had inflicted.

899. You would treat men of all classes, rich and poor, exactly alike in the eye of the law?—Most decidedly so.

900. But in the asylums you could not treat them precisely in the same way; the one would pay out of his pocket for his maintenance, the other would work out his maintenance?—Yes; you would classify them just as you now do insane people; rich and poor are unfortunately insane.

901. Do you think that if no licenses were granted for the sale of liquor at the places where dancing and amusement are allowed it would have a material effect in diminishing drunkenness?—The licensing question is a large question; I have myself always been excessively careful, and I am sure that my brother justices have also been so, in giving licenses; they are much more lax in some counties than they are in others.

902. Do you not think, as a magistrate, that it would be advisable not to grant licenses for music and dancing where there is a license for drinking, so as to separate the two places?—Yes, I think it very advisable to separate the two places; but I think that you would do a great deal more good if you made the law more stringent against the landlords for allowing drunkenness to be repeated, than it is at present; we often caution them, and talk to them a good deal, but you may depend upon it that a great deal of evil is done in that way; they know the drunkards, and they allow them to drink habitually in their houses. I would make that affect their license.

903. Is there a difference between the drunkenness produced by the excessive drinking of beer and porter, and that produced by the excessive drinking of spirits?—No, they both produce the same disease, namely, delirium tremens; it is the alcohol in both cases which acts; the porter or beer contains alcohol, although in less quantity, and that is the thing which causes drunkenness, so that all cases of drunkenness are produced by alcohol, whether it be in beer or porter, or spirits.

904. Is there a great aggravation in the disease when men have been in the habit of getting drunk upon adulterated beer, for instance?—There is a great question about that. I cannot say anything about adulterated beer. I have never analysed any, and I think that perhaps too much has been made of that. I think that it is a very important thing. I think that the proposition of having it tested is a very good one.

905. Colonel Brise.] You have had a great deal of experience; can you tell us whether there is more intemperance amongst the upper and middle than amongst the lower classes of society?—There is very considerably less, speaking of my time, in the upper classes; perhaps more in some portions of the middle classes, and more amongst the lower classes.

906. Is it chiefly in the lower classes?—I will not confine it. I think that drunkenness has increased in both the middle and the lower classes that

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that is to say, some portion of the middle classes of society.

907. I think that you have said that the drunkenness in the lower classes is chiefly from drinking ale and beer, and not much from drinking spirits?—It is almost exclusively from ale and beer in our counties, and there are others who drink cider. In our counties it is ale or porter; porter if they can get it among the towns, and in the country they drink beer.

908. You do not attach much importance to adulteration?—You misunderstand me. I think that adulteration is a very serious thing, but I think that the question of adulteration has been exaggerated. I do not think there is so much adulterated beer as people suppose. I think that it will be found so when a public analyser is appointed, which I presume will be done.

909. How would you alleviate the evils of intemperance amongst the lower classes?—I would alleviate them by preventing it as much as possible, or by making their homes comfortable.

910. I mean as to shutting up half the public-houses; do you think that that would be a good remedy?—There is no doubt that it would be a good thing within certain limits. That implies a question upon which I think there has been exaggeration; I think that it would not diminish drunkenness, because my opinion is that if you were to shut up six out of twelve public-houses, the remaining six would sell as much drink as the twelve previously did.

911. Have you had many convictions at Colchester for drunkenness?—Yes, almost every week.

912. For drunkenness only, or for being drunk and riotous?—For being drunk and riotous; that is under another Act of Parliament, and the magistrates can send them to gaol if they like.

913. You of course have had much experience of delirium tremens; in your experience, after a man has once had delirium tremens, does he often leave off drinking altogether, or is it generally followed by habitual fits of drinking?—It generally goes on and kills him.

914. Have you ever known instances of a man having had delirium tremens, and then leaving off drink altogether?—I have known instances of that, but it is very rare.

915. Have you had experience of the Idiot Asylum at Colchester?—Yes, I am a visitor there.

916. Have you observed much of the effect of drinking on the offspring of the drunkard?—I have no doubt whatever, in my own mind, that a drunken man never has healthy children; that, I believe, is an established axiom.

917. We had evidence the other day that out of 300 idiots, 145 were the offspring of drunken parents; do you believe that to be true?—I think it a very likely thing; I have no figures to guide me, but I have no doubt of it. A man is not able to procreate healthy children who is in a constant state of drunkenness; it is physiologically impossible.

918. Do you think that you will be able to obtain for us any statistics of idiotcy caused by drunkenness at the Essex Idiot Asylum?—I will do all that I can to obtain them. I will ask Mr. Millard next week, and he will send up any account which he has. We have only 100 cases there; however, these would be important. I think that you may take it as fact that drunkards beget idiots; it is

as certain as in the case of a man marrying his own cousin, that is a source of the production of idiots, the marrying in and in.

919. I think that you say that you would recommend what other witnesses have recommended, namely, some institution in the county for the detention of these habitual drunkards?—I would.

920. Under whose control would you put it?—I would have it under the control of the county justices.

921. Would you let the Lunacy Commissioners have supervision over it?—I think not; I think that you would then stamp it at once with a character as a lunatic asylum, which it should not bear. I would make the same remark upon that as with respect to the gaol; it should be a reformatory, and not a gaol.

922. You would not put any of the expenses upon the rates?—I think that it would support itself in the end; at all events, it would save a vast deal to the rates if you could make drunken men sober.

923. Sir *H. Johnstone*.] I suppose that the gain to the State would be considerable if you could lessen the number of idiots, who are not of much use to the State?—Yes; but they are mostly supported by charity.

924. If you could by any legislative methods prevent the birth of idiots, you would be doing a practical service to the State?—Decidedly so; and it is important in a very high degree to prevent it.

925. The great object, of course, is to prevent drunkenness being a confirmed habit?—Yes.

926. And on those grounds you would recommend the incarceration of the habitual drunkard?—I would.

927. Do you think that short periods of detention for drunkenness are effectual?—I do not think that either long or short sentences do much good.

928. It depends very much on the individual case?—I think that the association in gaol does away with the good which is effected by depriving a man of his liberty; I think that the whole of our punishments in gaol must be revised sooner or later; I think that a great deal of mischief is done by sending drunken men to associate with felons and housebreakers.

929. Apart from the gaol, have you any experience that a short punishment is better than a long punishment, or *vice versa*; I speak of the fear of detention?—I do not like long punishments for anything.

930. Supposing that you were in charge of an asylum for habitual drunkards, would you prefer keeping a man there for three months or for three weeks?—For three months.

931. Lord *C. J. Hamilton*.] You stated that, as a magistrate, you would be in favour of the minister of the parish, in conjunction with several medical men, being the authority who should direct habitual drunkards to be placed in confinement?—I think that it might be the minister of the parish and the nearest relative, wife, or father, or brother, or son, and one or two medical men; one probably would be sufficient; I think that you should not have less than the concurrence of those three parties, and I think that that would prevent anything like an interference with the liberty of the subject; it would prevent the idea of a man being shut up for nothing.

932. Do you not think that it would be placing the

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the minister of the parish in somewhat an invidious position, making him somewhat of a policeman in the eyes of his parishioners?—He would not give evidence as to the fact, but would merely sanction the removal; I mention him because he is the person who knows most about his parishioners, and knows their habits.

933. That, I presume, would only apply to country parishes, and not to a town like Sheffield?—It would not, of course, apply there. It is a mere suggestion on my part. I referred more especially to the man's spiritual adviser. I think that you ought to fence a man round with every protection which you can, before sending him to such a place.

934. You have mentioned the minister of the

parish as a man likely to know every resident in that parish; do you not think that the relieving officer would be a man equally in such a position?—Yes, the relieving officer would be a very good man, only that he has plenty to do, and it would seem to be taking him out of his work.

935. You have stated that you have known no charges for habitual drunkenness brought before you at Colchester; I presume that you keep a record of each conviction?—Yes. After the persons are found guilty, a report is made by the policeman that they have been convicted two or three times before; but the term "habitual drunkard" is never used; it is not in the law; there is no punishment for an habitual drunkard.

Tuesday, 19th March 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Colonel Brise.
Mr. Donald Dalrymple.
Mr. W. H. Gladstone.
Sir Harcourt Johnstone.

Mr. Miller.
Dr. Lyon Playfair.
Mr. Clare Read.
Major Walker.
Mr. Wharton.

DONALD DALRYMPLE, ESQ., IN THE CHAIR.

Dr. ALEXANDER PEDDIE, called in ; and Examined.

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936. *Chairman.* WILL you state your professional position ; are you a physician ? — I am practising as a physician in Edinburgh ; I graduated in 1835 ; I am a fellow of the Royal College of Physicians, Edinburgh, and also a Licentiate of the Royal College of Surgeons.

937. You have, I believe, long taken considerable interest in the question of the diminution of the evils of excessive drinking ? — Yes, I have taken a great interest in that question for a long period of time. I wrote upon *delirium tremens* in 1854, with reference to its pathology and treatment, without stimulants or opiates ; and I wrote first upon the question of *dipsomania* in 1858. Since then I have published a good deal on the subject otherwise, more especially in a communication to the Social Science Association in 1860, and in articles in "Chambers' Encyclopædia" Supplements, in 1868.

938. Then you have turned your attention to the connection between alcohol, and the loss of power of restraint in its use ? — Yes.

939. If it will be more convenient to you to read your views upon this particular subject than to answer questions, will you do so ? — I have jotted down a few particulars which I can give the Committee. Although the use of alcohol is excellent in itself, its abuse is most injurious, according to the quantity taken, the length of time of continuance in the habit, and the peculiarity of particular constitutions. Alcohol finds its way very rapidly through the circulation of the blood to the brain, and affects the nervous system generally ; in fact, there seems to be a peculiar elective affinity for the action of alcohol on the nervous system. This is at once seen in fits of ordinary drunkenness by the diminished intelligence and the loss of control over the voluntary muscles, on intelligence, from simple foolishness to delirious frenzy, or stupor ; and on the loss of power over the muscles from simple staggering to something analogous to paralysis. That alcohol goes directly to the brain has been ascertained by *post mortem* examinations after intoxication, and likewise in experiments made long ago upon the lower animals. Such being the case in a simple debauch, it may be expected that in a longer continued course of drinking, where large quantities are

imbibed, and perhaps continued over a long period of time, more or less continuously, there must be great disturbance and change in the nervous centres, affecting the action, if not the nutrition, of the brain. Although a part is eliminated by the lungs, the kidneys, the liver, and the skin, yet a considerable portion is retained in the system, undergoes some chemical changes. It then produces a poisonous effect upon the system, for it is supposed to be a narcotico acrid poison ; and it occasions various effects, mental and physical, upon different individuals, according to constitution, age, sex, education, position in life, and other circumstances. Now, the general course of events in cases whether from an acquired or inherited proclivity to the habit of intemperance, may be stated thus : When desire is once gratified and indulged, there is a renewed craving, and a repetition of indulgence, and these cravings and the repetitions go on until they become more and more urgent and indulgence more and more frequent, and at last quite irresistible from the wretched impulse from within. Thus, the moral sense gets more and more blunted, and the moral power enfeebled, until resistance and self-restraint is gone ; and the fully developed malady so established continues, until the individual is put under control, or is seized with *delirium tremens*, or *delirium-ebriosum*, or some other disease, perhaps jaundice, or some form of insanity, or paralysis, or death in the midst of a fit of intoxication, or death from suicide. I have seen all these ways of it, and in the different grades of society ; first, in early practice connected with hospitals and dispensaries, and latterly in private practice, and I have an abundance of material here in the form of cases occurring to myself, carefully noted, which can be given to illustrate any of these points if required. Now, such a condition is totally different from ordinary drunkenness, and it is not difficult to draw a line in different cases with a view to control. In ordinary drunkenness you have convivial drinking, and occasional or more or less systematic indulgence in stimulants, with the eyes open to the consequences, and with the will not so much affected but that drink can be schemed for, or abstained from. But in the form of drunkenness which we contemplate

template as necessitating some legislative management, the habitual drunkard, or the dipsomaniac, or by whatever name he may be called, is destitute of control over himself. In that condition, no considerations, temporal or spiritual, will have the slightest effect in checking the drunkard's progress, if ways and means, foul or fair, can be found to gratify the desire for alcoholic stimulants. To attain this he will tell the most shameful lies, for no truth is ever found in connection with the habitual drunkard's state. I never yet saw truth in relation to drink got out of one who was a dipsomaniac; he has sufficient reason left to tell these untruths, and to understand his position, because people in that condition are seldom dead drunk; they are seldom in the condition of total stupidity; they have generally an eye open to their own affair, and that is the main business of their existence, namely, how to obtain drink. Then they will resort to the most ingenious, mean, and degrading contrivances and practices to procure and conceal liquor; and all this too while closely watched, and succeed in deception, although almost fabulous quantities are daily swallowed. In many of those cases with which I have had to do, ladies, as well as gentlemen, and the former are generally the worst so far as the untruthfulness and ingenuity are concerned, I have had the most solemn asseverations that not a drop of liquor had crossed their lips for many hours, when they could not have walked across the floor; that not a drop of liquor was within their power, when I would find bottles of liquor wrapped up in stockings and other articles of clothing, concealed in trunks and wardrobes, put up the chimnies, and under beds or between mattresses; and on a late occasion, in the case of a lady, after all means had failed in discovering where the drink came from, on making a strict personal examination, found a bottle of brandy concealed in the armpit, hung round the neck with an elastic cord, so that she might help herself as she pleased. The next morning on seeing that the drunkenness still continued, and that something more was to be got at, there was actually found a bottle of brandy tied in the same way round the loins, and placed between her thighs. Such is but an instance of the determination to obtain the necessary supplies.

940. In fact they are governed by an imperious impulse which they are utterly unable to resist? —An impulse which they cannot resist to obtain one momentary gulph of anything alcoholic; and being in that condition they ought to be taken charge of by others.

941. As they cannot help themselves, and being lost to all sense of restraint and honour, I presume that you would propose at some point to step in?—Undoubtedly.

942. Will you proceed with your statement? —I think that I have said enough on the connection of the loss of power of restraint in the use of alcohol.

943. Have you considered whether the first link in the chain of cause and effect is drink or disease?—It is sometimes difficult to say what is the first link, because the habit of drinking sometimes goes on in a slow and stealthy manner, as if from vice to disease, and binding in the last link the victim as a slave of a passion, from which he cannot free himself, struggle however hard he may. But although there may be that difficulty in the beginning, the end is quite apparent; he is then in a condition of inability to help himself, 0.73.

and he presents the most characteristic features of an insane person, because he has lost the mastery of himself; he has lost the mastery of his will, which is the distinguishing attribute of sanity. Sometimes the habitual drunkard may have some natural defect or weakness, although not a distinct hereditary taint of insanity or predisposition to intemperance; and his mind and his will may have been ill-regulated, ill-balanced, or perhaps over-regulated by too much and indiscriminate discipline. As regards the latter I know one case especially, the particulars of which I have with me, of a gentleman who, when a boy, was kept in the hardest possible manner, and was denied all pleasures of play, while in education punishments were inflicted with great severity; so that the moment he got free from parental restraint he threw himself into the pleasures of life, and having means at his command, indulged his propensities. That man took to drinking habits, and went on drinking for many years, and got into a very low state, physically and mentally, and at last died absolutely of intoxication. Sometimes wasting disease, or a severe nervous shock, or a stroke of the sun, or a blow on the head, or any heavy grief or reverse of fortune, will bring a mind which is in a somewhat weak state into the condition of an habitual drunkard, just because recourse is had to stimulation in the first instance in order to overcome feebleness, or to exhilarate, or to comfort in some way or another. The relief brought from this leads to a new experiment; and the experiments go on until at last the person drifts into that deplorable condition which I have described. This disease, therefore, may be acquired, springing out of vicious courses, but in a large proportion of instances I believe that the habitual drunkard inherits the proclivity from drunken parents, or an insanity from a constitutional insanity in his family, of which the most marked manifestation is a tendency to drink. Now, I have many cases to illustrate that point, but I may just select one or two for the purpose. Here is the case of the wife of a respectable master house painter. For the last 42 years she has been an habitual drunkard, and has embittered her husband's life since shortly after marriage. Every possible means have been tried, but without avail. She has been boarded in different places in the country, and has been prevented access to drink, and under medical care. She has been three times in a lunatic asylum for periods of six weeks, three months, and one year. She has been in different houses of refuge and shelters 15 times, for periods of from 11 days to one year; whilst she has also been 15 times convicted for drunkenness and disorderly conduct by magistrates, and sentenced to various terms of imprisonment, running from 14 to 60 days, amounting in all to 778 days. She has also spent 200 nights in police cells. When under drink, her language and conduct are most violent and outrageous. A few days since she completed her last confinement in prison. The authorities have long since declined to grant a lunacy warrant in this case.

944. Have you the slightest hope of now reclaiming such a case as that?—I have not.

945. Do you believe that if that case had been taken in hand at an early period of her history, this degrading state of things might never have occurred? —I believe that it would not; her father was an ordinary constant drinker, but with power over himself to drink or abstain; two brothers

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brothers were precisely as their father. The next case I shall mention is that of the son of this woman, and this case will illustrate another position which I take up here. He died in prison at the age of 38; he began drinking when a mere lad, and although quiet and amiable when sober, under the influence of drink was most furious and dangerous, and given to thieving; he was 13 times convicted for being drunk and disorderly, and committed to prison, and four times for theft; he thus spent 922 days in prison; that is, two years, six months, and 24 days, besides being a great many times in the lock-up of the police office as drunk and incapable, but set at liberty when sober. Now, on this youth's father's side (I have already given the mother's side, which showed that she and her father, and her two brothers were drunkards), his grandfather and grandmother were both very much addicted to drink, but with some self-control; he had an aunt also intemperate. The father early showed a strong tendency to drinking, but by a great effort of the will, 40 years ago, he resolved to abstain, and has never tasted alcoholic liquors since. Now, when the youth's mother's condition is taken into account, there is here a strongly-marked family history of drunkenness on both sides.

946. Does it appear to you that that case has cost the ratepayers as much to keep it in gaol for years, and the expenses connected with it, as it would have done to have put it into a reformatory for a sufficiently long period to have influenced it for good?—I believe so; the sum of money calculated for me by the gaoler, in the former of these cases was 42*l.* 6*s.* 6*d.* for confinements in prison and in the police cells; I beg now to hand over to you all the papers connected with the residences in refuges and in prisons of these two parties. Another case, which I would instance as a very marked one, of an inherited drunkard's constitution, is that of a lady of good education and good principles. She began to drink at the age of 16, and died at the age of 56, during which time she had many severe and protracted fits of drinking, and, in fact, at last drank herself to death. This patient was under my own care, occasionally, for nearly five years; she was most untruthful when the desire was on her, resorting to the most ingenious methods for procuring alcoholic supplies, which by preference were brandy and beer, swearing in the most solemn manner that she had never tasted a drop, when she was incapable of walking. She was boarded in a great many places in town and in the country, and when under control was intelligent, active, and industrious, and made herself useful to others. Sometimes when under care she employed herself as a Bible reader; and when in the country for three years under continued control she gave herself to botany and geology, and wrote most excellent letters from her retreat. Now, her father was an habitual drunkard, a grand aunt on the father's side was the same, and also a cousin on the father's side. On the mother's side the mother was an habitual drunkard, a brother was an habitual drunkard, a brother was insane, an aunt was an habitual drunkard; two nieces, daughters of the same, were habitual drunkards, and some other members of these two families are said to have been affected in the same way.

947. You bring forward those cases in proof of the transmission from drunken parents of a proclivity to drink in those whose parents have themselves been intemperate?—Yes, and I could

bring forward scores of such cases which have been under my own care, or falling under my own notice. The two first cases which I brought forward were never under my care, but I have corresponded with and have had a visit from the husband of the woman who gave him so much trouble. He wrote to me long ago, thinking that because I had written on the subject, I might know of some place where she could be taken proper care of.

948. Are you acquainted with the opinion of Dr. Howe, of Massachusetts, in his work upon Idiocy?—Yes; I am aware that he has shown that a very great amount of idiocy arises from drunken parents. I think that out of 359 cases, very accurately traced, 99 were cases of children born of drunken parents. Then, again, speaking upon that point, Dr. Thompson, of Perth, the medical superintendent of the Perth prisons, which is a very large institution, gave some very important statistics in the "Edinburgh Medical Journal" for 1858; and in these cases he not only showed an extraordinary amount of idiocy springing out of drunken hereditary constitutions, but likewise a great deal of epilepsy and paralysis, and various other mental and nervous affections.

949. Has your attention been directed to some rather singular statistics as to the quality of the crimes committed by persons under the influence of drink?—Yes; and the result seems to afford a sort of crucial proof of the mental nature of habitual drunkenness, or, in other words, that it is a disease. Where a man's condition has arrived at that of habitual drunkenness, in certain individuals there is not only a tendency to commit crime, but the crimes committed under such circumstances have a remarkable uniformity in character. I think that Sheriff Bell, of Glasgow, noticed some instances of the kind, but at any rate I had some cases furnished me several years ago by Sheriff Barclay, of Perth; and a few days ago, hearing that I was to be examined before your Committee, he wrote to me showing his interest in the question, and making up some of these cases to this period. Sheriff Barclay is well known throughout the whole country as a man of great attainments, and one who gives his attention to social reform in every way. Now the sheriff has put me in possession of tables in which he shows the number of times that particular criminals have been before him, and committed to the prison of Perth. From the year 1844, to the year 1865, one woman was committed to prison 137 times for being drunk, and when drunk her invariable practice was to smash windows. That woman drowned herself when intoxicated, in 1865. Then again the sheriff gave me an instance of a man who when drunk stole nothing but Bibles: he was an old soldier, wounded in the head; when drunk the objects of theft were always Bibles; and he was transported for the seventh act of Bible stealing. Then another man stole nothing but spades; a woman stole nothing but shoes; another stole nothing but shawls; and there is a curious case, the indictment of which the sheriff sent me, against a man of the name of Grubb, who was transported for the seventh act of stealing a tub; there was nothing in his line of life, and nothing in his prospects, no motive, to make him especially desire tubs, but so it was, that when he stole it was always, excepting on one occasion, a tub.

950. You have adduced these cases of the uniformity,

formity of crime committed, as an indication of the diseased condition of the mind of the individual committing the act?—I have.

951. And this has been exemplified in a sufficient number of cases to give a coherence to the theory, at all events, if not actual proof?—Yes; and I will likewise put all these papers into your possession.

952. This is a very brief table, but is a very important one; it is the number of persons, male and female, who were apprehended or committed by the police of the city of Perth from 1st August 1861 to 1st August 1871, and the number who were in a state of intoxication at the time when the offence was committed: males, 6,079; females 3,040; total, 9,119. The number in a state of intoxication when the offence was committed: males, 2,864; females, 1,368; making a total of 4,232, or, roughly, about 48 per cent. of the whole?—Yes, that is an important table. I may here mention, as a part of the observation, as to the curious uniformity of crime committed under intemperance, what I have also observed in successive attacks of delirium tremens in the same individual, viz., a constant recurrence of the same run of ideas, and the same sort of delusions and hallucinations.

953. In delirium tremens, do you draw a distinction between delusions of mind and hallucinations of vision?—They are principally hallucinations in delirium tremens; but when the disease borders more upon what we call the delirium ebriosum, delusions are more frequent.

954. Is the habitual drunkard, in your opinion, a subject more proper for treatment or for punishment. I will take him at once out of the category of the occasional drunkard, and I will take you to the individual who has become addicted to liquor?—If there is anything at all in what I have stated already in regard to habitual drunkenness, that it is a form of insanity, or at least something closely allied to insanity, then the habitual drunkard is more properly a subject for care, as it were, in an hospital, than a person for punishment in a gaol; yet, at the same time, there must be a certain amount of reformatory treatment entering into every case; the question hinges entirely upon that, and is a purely practical one, aside from all metaphysical or psychological distinctions or nice hair-splittings; it is one for medical diagnosis, and it is one in a great measure for medical treatment; it is one for mental treatment, and it is one for social and reformatory treatment. There must be a mixed medical, moral, and reformatory treatment in cases of this malady, of course varying very much according to the position of life in which the habitual drunkard or dipsomaniac is; according to his education, according to his means, and also according to the sex. Consequently, those persons in the upper classes would require complete occupation rather than work, and they are entitled to amusements and to good living, and to anything which their own or the means of their friends, can afford, all with a view to restore an enfeebled tone, and to beget new and better desires, and to help them in regaining the power of self-restraint, and self-control and self-regulation. With regard to the criminal class of drunkards, that is another question. In their case, commonly speaking, more of the reformatory, and perhaps something more of the punitive element may be required in their treatment. They are there at the public expense; 0.73.

they are there having committed crimes, and that cannot be overlooked; they cannot be associated with other habitual drunkards who may not have that tendency, and who may never have committed any breach of the peace; and, seeing that they are at the public expense, they should work for their maintenance; work should be provided for them, and that will be a great means to an end for cure. I believe that punitive treatment could be quite well followed out in a reformatory for such characters as those, without its even being a gaol-like punitive treatment; they might be denied some comforts; they might even be denied a certain amount of gains from their work by fining, because I hold that in the establishment of separate institutions for the treatment of drunkards, these should be made self-supporting if possible; and I believe that this would be one of the great means of deriving self-support, by making the working classes who could not themselves pay for their accommodation and treatment, work for their maintenance, and certainly by making the criminals work for their maintenance. At the same time, I would hold out something as an inducement to better courses; the criminal pauper class must not be permitted to remain in idleness, and they must not be simply the objects of punishment; they should be paid for their labour; the payment might be under trust; and after retaining so much for keep, so much should be deducted for any act of disobedience, or other bad conduct. When they break the laws of the institution, or do anything which is improper, by occasionally lessening comforts, and by fining them in that sort of way, I believe it would not be difficult to legislate even for that class, still viewing them as persons of unsound mind, and requiring medical treatment and care as well as reformatory.

955. Have you considered whether the drunkard, and those who are insane from other causes, should or should not be grouped together, and treated in the same establishment?—I have from the first advocated separate arrangements, and although there was an attempt some years since in Edinburgh to have a clause inserted in a Lunacy Bill, for the care of the habitual drunkard, yet I am more than ever convinced that there must be separate arrangements, separate asylums, and separate treatment, although there may be some connection with a Lunacy Commission; I do not think that the idea of separate arrangement precludes that. I do not think that any legislation on this question should be in connection with a Lunacy Act. I do not think that habitual drunkards should be confined in lunatic asylums along with other lunatics; at the same time I would not be opposed to any of our Lunacy Commissioners in Scotland (I am not so well acquainted with the lunacy arrangements in England) having some supervision of institutions for inebriety, nor to these houses being licensed by the Lunacy Commission.

956. I presume that you would grant that there are constantly occurring amongst drunkards cases which eventuate in insanity, and that then they become fit and proper inmates for a lunatic asylum pure and simple?—Yes.

957. But do you consider that the grouping of the two together would be alike injurious to those who are insane upon other subjects and to those who are placed there because they are insane upon the subject of drink?—Not only do I think that it would be injurious, but I think that the mixture would be incompatible.

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In most cases the treatment must differ. The treatment of the ordinary insane often requires a considerable amount of stimulants; stimulants must never be within the sight or reach of drunkards. Then again it is well known that habitual drunkards are habitually liars, until that particular state of the brain and nervous system is remedied, and they would be found most disagreeable inmates of any asylum. They are intriguing, they are mischief-making, and altogether troublesome until reformed; and it has been the opinion, I believe, of all the superintendents of asylums, at least in Scotland, that they ought not to be grouped together. Dr. Lauder Lindsay, in a report of the Murray Royal Institution for the Insane Perth, for 1861-62, said, "The association of dipsomaniacs with the ordinary community of an asylum, operates injuriously in a twofold way; both upon the inebriate himself, and upon his insane fellow inmates; as a rule, they are prone to exaggeration, both in word and deed, are not over truthful, are cunning, resorting to every artifice to gratify their morbid propensity, very plausible, frequently very intelligent and shrewd; find their stimulant in mischief-making, scandal-talking, or in quarrelling with those about them." Dr. Skae likewise gave a very strong utterance on the same subject some time since from his experience in the Edinburgh Royal Lunatic Asylum; I have not the means of quoting anything said by our Lunacy Commissioners on this subject, but I believe that that is likewise their opinion.

958. Are you aware of the failure of the Australian Act, known as section No. 17?—I am.

959. That broke down upon the point of the connection with lunacy asylums, did it not?—It did; the clause has been almost inoperative, just because it was a clause of a Lunacy Bill; and I think that out of 33 applications in the course of three years, only 21 came to orders, and that was partly because the feeling of the people was repugnant to the idea of habitual drunkards being mixed up with the general insane; but it likewise became a very expensive and troublesome process.

960. I need not ask you whether inebriates are mischievous and troublesome in intriguing, and so on, because we have had all that evidence already indicated by you in the peculiar forms of crime, but that is so?—It is.

961. And they are very troublesome inmates to the managers of asylums?—They are very troublesome both to inmates and attendants.

962. They are very fond of brewing mischief if they can?—Yes; I believe that in Scotland the idea of dipsomaniac arrangements being made in connection with asylum treatment would be the death of any legislation; I believe that the feeling would be so strong that it could not be done without raising a hue and cry against the plan, although the necessity for some interference was admitted.

963. Let me take you to the question of the authority under which an habitual drunkard is to be detained in a reformatory, or other curative establishment; whether it should be distinct from the Lunacy Commissioners in England, and their counterpart in Scotland, or whether you would extend the jurisdiction of those gentlemen to the inspection and overlooking of such establishments?—The Lunacy Commissioners in

Scotland (as I have said before, I am not so well acquainted with English arrangements) have, I think, given great satisfaction in their labours; and I think that it would be a guarantee to the public if there was some supervision by that board, some visitation of establishments, whether they should be public sanitoriums, or private retreats, or inebriate reformatories; I think that it would be some guarantee if they were under State supervision in some way or other; and the Lunacy Commissioners, who are so well acquainted with Lunacy in all its phases, would be the best parties to undertake that work.

964. Supposing an inebriate asylum to be established, in which any locality, say, somewhere in the county of Dumfries, would there be any difficulty in the authorities of that county appointing inspectors, or a committee of inspection, to visit that house from time to time?—I do not think so.

965. And do you think that that would be more congenial than having an inspection made by an Inspector of Lunacy?—I cannot answer that question; I think it is perfectly possible that a very excellent resident board appointed might obtain the confidence of the public.

966. Can you give the Committee experience of past and present retreats for habitual drunkards in Scotland?—I know a good deal about them; I have been accustomed for many years to send ladies and gentlemen into privacy for that habit; but from the beginning until the present time, and more now than before, I have had a very great difficulty in knowing what to do. These retreats are fewer now than they were formerly, and I believe they all more or less have a struggle for existence. There is so much uncertainty with regard to obtaining a sufficient number of boarders to pay the expenses, to enable a man to secure a good house with grounds round it, and to have a good kitchen for his patients, with means of amusement and occupation; a considerable sum of money requires to be laid out for such. Now the great uncertainty of a supply of boarders makes it a heartless business; it is not remunerative, and consequently if men take up inferior houses, it is to the loss of the boarders committed to their care. In consequence of having written upon this subject so many years since, I have had many applications from all parts of the country, from different parts of England, as well as my own country, from persons supposing that I had some connection with establishments for the care of habitual drunkards, and inquiring what I would advise to be done with them. Out of perhaps 12 cases of applications, which is a very moderate computation, only one case would come to anything. Say, that a gentleman has fallen into these habits, and perhaps when brought down by an attack of delirium tremens or some other disease, he is somewhat penitent and his friends work upon his mind, and he gives a sort of consent to go into a retreat; but in a few days when, through abstinence and control he recovers a little strength of body and a little strength of mind, he refuses to go, and the arrangement comes to nothing; that is a difficulty with regard to admission. Then the difficulty in detention is just as great, because patients, when they recover a certain amount of physical strength and mental energy, and particularly if the horrible desire is again coming strongly on them, will not remain, and they defy the superintendent of the establishment where they

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they are residing to detain them any longer, and insist on obtaining freedom; they know quite well that there is no law either to enforce residence or to enforce detention, and consequently they bid defiance to all connected with them.

967. You were here last Friday, and you heard the evidence, I believe, more especially of Mr. Mould as well as that of Dr. Skae, is there anything in that evidence which struck you, upon which you would like to make any remark?—No; I think the evidence given by those gentlemen was very good.

968. At question 647, Mr. Mould made the statement that he had had 120 patients in the middle and wealthier classes during the last 10 years who had placed themselves under his care; and he went on to say, "Legally one is bound to let them go; but I have been in the habit of taking an indemnity from the friends or relatives of the patients, and illegally keeping them in against their will, and I have done so for as long a time as eighteen months." In your judgment can it be a wise and proper plan which permits a system of breaking the law, although for a good purpose, to go on, instead of legislating and obtaining that very same object by legal means?—I think that it is improper, and that there being such an uncertain state of the law, no good can come out of it; and this makes medical men, in our country, at least, very careful in their conduct. I may here mention the case of a lady, regarding whom I was consulted, who is at present detained in a licensed private house, a small institution, against her will. That is a bad case. She was well educated, and in early life, I believe, used to drink. She has been a confirmed drunkard since 1862. Her conduct was always most violent when under the influence of drink, she going into great paroxysms of passion when it was withheld from her. She has several times threatened to take her husband's life, and once she set her room on fire. When she was able to rise from the sofa to dinner, she would often throw plates, hot water jugs, decanter, &c., at her husband, servant, or any one who happened to be in the room. The consequence was that no servant would stay in the house, and her young family were utterly neglected, suffering all the miseries that a drunken mother can inflict. She was also very cruel to them, at times endangering their lives by blows, &c. Her habits latterly became most shockingly filthy. When in her drinking fits, no matter what room she would be in, she would not use a chamber or go to the water-closet; the consequence was that the house became almost unfit to live in. Everything was tried to reform her: change of air, also keeping no spirituous liquors in the house, but all was of no avail, as she either sent for or ordered herself the drink from shops in the neighbourhood, or would even bribe a beggar at the door to bring it to her. She had several times nurses from asylums in the house attending her, when she had reduced her system by excessive drinking for weeks together, but this was found to be perfectly useless, for when she got well again in a short time she was as bad as ever. She was placed under control in a licensed house in August, 1869, against her own will and that of some of her relations, where she still remains comparatively happy. It is quite evident that if she was at liberty to-morrow she would soon commence drinking again and be as miserable and as annoying as ever. Now, I know that her father instituted proceedings some

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time since, but his death stopped proceedings, and I believe that that patient is at this moment illegally confined. Then, again, we have a house, namely, Queensberry House, in Edinburgh, where ladies are taken. I believe that it is quite questionable whether all are legally detained there or not. It is a most excellent institution, and I believe that a great deal of good has been done by it, although a great deal more good might have been done had the boarders been controlled there for a greater length of time, for, in general, continuance in the house is much too short for anything like satisfactory reformation; but if the thing came to be inquired into, I believe that it would not stand in point of law, and I rather think that our Commissioners of Lunacy take that view.

969. Then, so far as the part of the question which affects the liberty of the subject goes, there may be quite as much danger of ill-disposed and corrupt relatives, taking the law as it now stands, giving an indemnity to the party who receives illegally a patient of this sort as there would be under a proper regulation by Act of Parliament. Here is a gentleman who tells you that he has had upwards of 100 cases under his care in 10 years, and that he has received an indemnity from the friends of the patients to hold him harmless against actions at law; the present system does not protect the liberty of the subject under those circumstances?—It does not.

970. Have you in your own mind formed any plan for legislation on this subject?—In 1858 I drew up a scheme, and it was published, but in many particulars I think that it would be better for amendment. I commenced writing it out anew, but have not had time to finish it; the general idea of it was that with law to control the person and property of a habitual drunkard, there should be a few public Sanatoriums established, and facility given for the formation of Retreats by the private adventure of individuals or of associations of men; that as regarded Scotland the public establishments might be, perhaps, three or four in number: one in Edinburgh, one in Glasgow, one, say, in Dumfries, and another in Aberdeen or Inverness; that Government aid should be given to a certain amount; but I think that, in order to show the sincerity of the public in this cause, it would be a good thing that the public should meet the Government in a certain way, just as is proposed at present in Australia, in Melbourne. Perhaps you have had some documents sent to you lately from that quarter, and in them you will find there is an appeal to the public on the subject. Now, my idea was that the Government might grant the small sum of 2,000 *l.* or 3,000 *l.* to each of these houses, towards building and furnishing, not of expensive houses, but comfortable houses, and that these should be a sort of model public institutions; perhaps there might in them be a small amount of accommodation for the middle classes, but the principal accommodation should be for the working classes. I likewise think that the Government should, in the first instance at least, give a grant, say, of 300 *l.* or 400 *l.* a year to each of these houses for maintenance, on the supposition that the communities would make up as much more for the founding of the establishment as Government advanced, and that the self-supporting character of the establishments themselves would go a great way in meeting the difference of annual expenditure; and, in time,

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the Government might either see fit to increase, or to withdraw the support granted. Private parties would be left free to make their own arrangements for habitual drunkards of the higher and middle classes; and I believe that, with legal power, such institutions would spring up in various parts of the country, in secluded situations, where the scheme could be best worked. Then the other matters would be the way in which applications for admission should be made, orders granted, detention and dismissal managed, and so on. Those are the general features of the scheme.

971. In these institutions, however conducted, and however supported, you think that there should be a power to detain the individual against his will in case of need?—Yes; I would have voluntary admission, but compulsory detention; and I would have compulsory admission in necessitous cases, in any rank of life, by some authority; and in the cases of the criminal drunkards through the police magistrates, or the sheriffs, or through the procurator fiscal, acting for the public interest, or indeed in any case where relatives and friends did not, or would not step forward to undertake the responsibility.

972. Mr. W. H. Gladstone.] Are you speaking of Scotland alone?—Of Scotland alone.

973. What would the total cost come to according to your computation?—I think that for model institutions of that kind, in the first instance at least, you might require 4,000 l. for the building and furnishing, and from 600 l. to 1,200 l. for maintenance annually for each institution; but I have not gone very minutely into the scheme for each institution.

974. At present all the inmates of these places of which you have spoken, are, I suppose, persons of actually unsound mind?—Of unsound mind.

975. But you contemplate bringing people into them who are merely the victims of habitual drunkenness?—Yes, in the belief that the condition of drunkenness has arrived at such a stage as to be considered equivalent to unsoundness of mind if not of positive unsoundness of mind; it should be treated as a form of insanity.

976. Then you would not look upon this treatment as penal in any way?—I think that with regard to criminal drunkards, it may to some extent be regarded as penal, but I consider that separate arrangements would be absolutely necessary in that case, and that they never should be associated in wards along with habitual drunkards of another class.

977. Which classes are you speaking of?—I speak of criminal drunkards as distinct from other drunkards of the working class, or lower orders, those who have been convicted for many offences, and where the convictions have been so frequent as to take them out of the ordinary rule of the police, and to require restraint in a reformatory asylum.

978. That is the class whom you would compel to enter these institutions?—Yes, to enter inebriate reformatories connected with workhouses and prisons.

979. Mr. Achroyd.] Have you within the range of your own practice had many cases of successful curative treatment of habitual drunkards whether the drunkenness was caused by mental disease, or by a vitiated habit?—I have not, for want of power to enforce the proper method of cure.

980. Which of the two classes of cases should you consider the more easy to deal with, those of mental disease, or those simply of a bad habit?—Those springing out of a vice, but arriving at what may be considered disease are certainly the most promising cases; those inherited are decidedly unpromising, and would require a lengthened period of control and careful treatment.

981. In the class of cases caused by mental disease, you, I presume, would recommend a long period of detention?—Yes, a long period of detention and treatment.

982. And in the other cases, which would be reformatory cases, you would let detention depend upon their own conduct?—Yes; every case would require to be judged of according to its own peculiarities.

983. I understand you to recommend two classes of retreats for these habitual drunkards; one I presume should be something like that of the pauper lunatic asylums, and the other the private retreats?—To some extent.

984. Have you pauper lunatic asylums in Scotland, the same as we have in England?—Yes, there are some county lunatic asylums, but in almost all of them high-class patients are taken: there is better accommodation for high-class patients; yet there are pauper wards. Formerly all those persons were treated in connection with wards attached to poor-houses; but the Lunacy Commission brought about a change in that practice, and now the treatment of that class of lunatics is entirely in asylums. Arrangements are made with various asylums throughout the country, but several of our counties now have asylums of their own, and some counties have combined and have joint asylums.

985. The cost of the lunatics in these county asylums is, I presume, borne by the county?—Yes.

986. But the cost in private retreats is borne, I presume, by the relatives and friends?—Yes.

987. And those are the two classes of establishments which you would adopt for inebriates?—Yes.

988. Mr. Wharton.] I understand you to be dealing with that class of habitual drunkards who have absolutely lost control over themselves?—Yes, entirely.

989. I have not understood you to prescribe any treatment for those who have merely got into the habit of drinking, but who have the power of being cured?—I confess that there is great difficulty in knowing what to do with such persons, because there perhaps the liberty of the subject may interfere with the treatment; I only contemplate control for the worst class of cases.

990. Have you contemplated any alteration in the punishment upon conviction for drunkenness?—I think that without any stretch of the magistrates' power, when they find after some four, five, or six convictions, crimes committed, breaches of the peace, or personal violence, or theft, and when they find that these cases are coming up again and again, some discretionary power might be left in their hands to enforce treatment in a Drunkards' Reformatory Asylum.

991. I suppose that when dipsomania is an inherited disease, it is almost beyond the power of cure?—Yes; however, I am sanguine enough to suppose that if legal power was possessed to detain, sanatoriums, retreats or reformatories, under proper treatment, even cases of that apparently

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parently unpromising condition, in the course of two or three years, a very great change would be accomplished even in the worst cases; and at any rate, whether or not, these individuals would be an immense deal happier than they are in a state of continual drunkenness.

992. Mr. *Miller*.] Taking the first case to which you alluded, namely, that of a woman, would she be a proper subject to be put into a reformatory?—Undoubtedly.

993. It is that class of people to whom you are pointing as proper to be put into reformatories?—Yes.

994. What is the present state of that woman?—She has newly come out of prison, unless within the last week she has been sent back to prison for a new offence, if an arrangement has not been made to put her into a shelter or refuge.

995. She has been treated more in the way of punishment than in a reformatory?—She has been treated in every way; she has been a great many times in shelters, twice or three times in lunatic asylums, and 15 times in prison.

996. Are there existing in Scotland several private lunatic asylums?—Yes.

997. In those asylums the better class of people are confined?—Yes.

998. Do those establishments exist as a speculation?—Yes.

999. And they pay themselves?—Yes.

1000. That is to say they get no assistance?—They get no assistance in any way.

1001. Supposing that reformatories, such as you point at, were established, and that the law of compulsion were put in force, do you think that private establishments could be kept up in the same way as they are now for the ordinary lunatics?—I believe so, with some hope of success.

1002. So that, so far as the locality is concerned or the country generally, the cost would be confined to the pauper dipsomaniacs, just the same as it is now confined to the pauper lunatics?—Yes.

1003. Do you suppose that the cost of treating such subjects would be very great, confining yourself to paupers?—I think that it might be made self-supporting.

1004. By the work of the patients?—By the work of the patients. Idleness is the very worst thing for persons in that condition; consequently I would give them work. I would have these establishments fitted up as workshops. I would have them all work, and to be made to work. I think that the punitive element might be introduced to a considerable extent without anything approaching to oppression, or even closely approaching gaol treatment.

1005. The great difficulty in your mind in curing those people, is the power of their detention in a reformatory, or some other establishment?—Yes.

1006. If you had that power, you think that you could succeed, to a considerable extent?—I have not the least doubt of it; I have letters from four superintendents of private establishments, in different parts of the country, for drunkards of the better class, and they speak of having completely cured a number of cases, and they speak likewise of their disappointments; and the grievance seems just to be, that if they had had them long enough, and if they had not been interfered with by the restlessness of the boarders, and the desire to be at liberty, they could have done more for them.

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1007. Do you know the feeling of your brethren, in and around Edinburgh, upon this matter?—I believe that the feeling in favour of some legislative arrangements in these cases is almost unanimous; I may almost take upon myself to say unanimous, but I will say, almost unanimous.

1008. Did you sign a petition which was sent up?—I did.

1009. Was it largely signed?—I was not the mover in that petition, and I do not exactly know the number of signatures, but I believe that if there was a petition brought up from Scotland it would be very largely signed.

1010. By physicians and medical gentlemen?—Yes.

1011. Mr. *Read*.] I read this case in the "Norwich Daily Press" of this morning; "a wood-turner, earning good wages, had for years been subject to delirium, caused by drink, and though he had frequently threatened to take his life he had never attempted to do so; after these drinking bouts he suffered very much from depression of spirits; for the last fortnight he had constantly been under the influence of drink, and he committed suicide in his bedroom." These are very frequent cases; what could you do in those instances?—I think that that man ought to have been taken charge of.

1012. When he was in one of these delirious fits?—Yes, when he was in one of these delirious states; or even knowing his tendency, he might have been taken charge of, and his life saved.

1013. It appears that this man broke out periodically; is there anything in a man's system which would account for a great and periodical outburst of intemperance?—The periodical form of disease is not uncommon; it is pretty frequent, but the periods between generally become shorter and shorter, as a man gets more and more into that state of mind which leads to intemperance.

1014. If he could tide over one of these periods, do you think that the next would be equally as severe a temptation?—I think that it might do something for him, and yet at the same time, unless he was taken care of for a considerable period of time, it would not affect much change.

1015. He would require a long detention before you could hope for any good effects?—Undoubtedly.

1016. Dr. *Lyon Playfair*.] You say that you would take a man and put him into forced detention; under what conditions would you do that?—When a man could no longer control himself from the habit of intemperance, I would then consider him in a condition of unsound mind and requiring to be cared for.

1017. Even if he was only injurious to himself, and not immediately injurious to the public?—Yes; I think that we should do something more than provide against injury to the public; I think that we have a duty as citizens and fellow creatures to one who will not take care of himself.

1018. And you would take him because he was injurious to himself, as well as injurious to the public?—Yes.

1019. To what extent should we require to provide for legislation in that way; you spoke of four regular asylums; I presume that you only intended those as models?—Yes.

1020. There might be a great many more than four for Scotland?—Perhaps more might be required.

1021. At the scale which you gave, namely,
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one in Edinburgh, one in Glasgow, one in Dumfries, and one in Aberdeen or Inverness, at an expenditure of 4,000 l.; each building would contain about 40 patients, would it not?—Yes.

1022. That would only be 160 for the whole of Scotland?—Yes.

1023. Therefore I suppose that you suggest these as mere models?—Yes, I do.

1024. In the city from which you and I come, I should say that there are more than 160 habitual drunkards in Edinburgh alone?—There are.

1025. You could not give us any idea of the extent to which such an experiment should be made, if it was to be a large public success throughout the population?—I could not. Legislation could only be tentative in the first instance.

1026. For instance, would the case which you gave us from Perth, that 48 per cent. of all the crimes committed were crimes under the influence of drink, be an indication of the total number of crimes committed under that influence?—No doubt; but I think that arrangements should be made in connection with poor-houses, and even with some lunatic asylums, or prisons, if need be, in separate wards for these cases occurring among the lower or criminal classes.

1027. Would you not think it a great advantage even if one could not overtake the whole question of the habitual drunkards in the population if the extreme cases were taken hold of by general legislative provisions?—Undoubtedly; and that is the object of anything which I have said.

1028. Would not that form an example and a stimulus to the less habitual drunkards to restrain themselves?—It might have some deterrent effect, but we know quite well that nothing will deter an habitual drunkard when fairly in that condition; no temporal consideration, no family conditions, no entreaties, or tears, or threatenings, and nothing will have any effect upon a man who has got into that particular state short of control.

1029. Have you any information as to the proportion of the recoveries in the establishments in Scotland for the cure of drunkards?—I can give no proportion of the recoveries, but in my communications with several gentlemen who have houses in different parts of Scotland, they speak of a few cases which have done well; there are several instances mentioned of gentlemen who are in business, and going on creditably and well; but then a great many others are spoken of as having been far too short a time under care to derive any benefit; and thus one superintendent says, "Now this is a case where, if there had been legislative control, it would have enabled me to have done something for him." Then another of the superintendents says, "I select all my cases, because unless I find that a man is sent to me completely dependent upon his friends, I do not take him; if he is completely dependent upon his friends, then he is content to remain with me, and in the course of a year or two, I may do him some good." If he possesses some power of his own, and means of his own, he will not submit to treatment. Consequently, we can draw very little inference from anything which has yet been done by any of these private retreats simply on account of the want of legal power.

1030. Are there not very distinctive cases in Scotland of recovery under such circumstances?—There have been.

1031. I may mention to you one case which I happen to know of, namely, that of a parent who was perfectly uncontrollable in drink, but who after 18 months' confinement in an asylum, has been for two years' perfectly recovered to his family; is such a man likely to be cured, or may he relapse?—He may relapse, but the probabilities are, that when he has got over such a period of time he will continue well.

1032. The chances are in his favour?—The chances are in his favour.

1033. Colonel *Brise*.] I think that you have said that there is a great deal of drunkenness in Edinburgh?—A great deal.

1034. Is it confined to the operative class, or the middle class, or what class?—To the operative classes chiefly.

1035. Sir *H. Johnstone*.] Edinburgh is very badly supplied with water, is it not?—It is very well supplied with water.

1036. Have they got water from the Saint Mary's Loch yet?—No; and they never will I hope.

1037. I have seen that the drunkenness of Edinburgh was attributed to the fact that they were badly supplied with pure water?—That is not my opinion.

1038. With regard to the small number of cures which appears to be the result of inquiry into the treatment of these habitual drunkards, is not the small number of cures partly attributable to the want of early restraint and treatment, as well as to short periods of detention?—To both.

1039. Therefore, if a power were given by the law to put these cases sooner under treatment, there would naturally be more cures?—Undoubtedly.

1040. In addition to that, you would suggest longer periods of detention than are now given by the imperfect state of the law?—Unquestionably; I think that there would be some hope of doing good if such were the case.

1041. With regard to the hereditary tendencies to drunkenness, they, of course, would be also overcome by early treatment, would they not?—I am strongly of the belief, that even these unpromising cases might have a chance of cure, or of benefit at any rate.

1042. I suppose that the morbid condition under which they labour is naturally aggravated by the poison of alcohol?—Unquestionably.

1043. And if you could remove that alcohol from them, there would be an additional chance of their recovery?—Yes.

1044. Do you know of any institutions for the cure of habitual drunkards in Scotland, which are kept up partly by voluntary subscriptions, or entirely by voluntary subscriptions?—Queensberry House, an institution for the care of ladies is a public institution, and it is to some extent supported by subscriptions.

1045. How is it supported otherwise?—By the boards of patients; the class of cases are those in which small boards are paid for. The ladies are not of the upper ranks, they are only of the middle class, or somewhat even below that.

1046. You seem to shadow out institutions like the juvenile reformatories where there would be a Government subsidy, and in addition to that, the maintenance of the patients would be kept up by voluntary subscriptions or by payments on the part of the patients?—These model institutions which I have proposed, I consider might be partly
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a Government undertaking, or supported from some local taxation, partly from subscriptions and boards paid, and the rest might be accomplished by the work of the pauper inmates, they being made to pay for their own maintenance.

1047. Of course if there were a Government subsidy, the Government would naturally be able to overlook these establishments?—Yes, undoubtedly.

1048. And that would be to some extent a great public benefit?—It would be desirable.

1049. *Chairman.*] The Honourable Member for South Norfolk asked you a question upon the subject of the periodical outbreaks of drinking; if these establishments, which you contemplate, existed, would there be any difficulty in anticipating many of these outbreaks by placing an individual in one of them upon the first symptoms showing themselves?—A great deal of benefit might accrue from such early treatment.

1050. Are you aware that in other cases of insanity, the patients feeling the attack coming upon them will ask to be taken care of?—Yes, I am quite aware of that fact.

1051. You have also been asked about the unpromising cases; is it not a fact that many unpromising cases of ordinary insanity placed under proper care, and for a sufficient length of time, do terminate successfully?—Yes; and so I believe that even in the case of the worst habitual drunkard when a chance is given for reformation good may come out of the treatment.

1052. *Mr. Miller.*) You are acquainted with the Queensberry Refuge?—Yes.

1053. Intimately?—Yes; I know it from having attended one public meeting, reading the annual reports, and through patients boarded there.

1054. Is it your opinion that it has turned out a failure?—No; I think that a great deal of good has been done by it, but I have some doubt about the real success of the treatment, just from the shortness of time. The last report I happen to have here.

1055. Does that difficulty arise in the treatment, or from want of power?—From want of power.

1056. The failure in that establishment is mainly from want of power over the patients?—In this last report there is a single sentence which I think throws a little doubt over the results. It says: "The results of the treatment, when time has been afforded by a sufficient length of residence, continues to be satisfactory. Information in all cases cannot be obtained as to the benefits derived, but good accounts have been received in regard to a large number of the boarders, particularly of those who had resided in the house for four months and upwards. Of the remainder the greater part have been only one month in the institution, and, as might have been expected, have not received much permanent benefit." Now I very much doubt any benefit to be de-

rived from such short periods of treatment in the cases of habitual drunkards.

1057. I suppose that the patients in that refuge go there voluntarily, and remain there voluntarily?—They go there voluntarily, but there must be a mild compulsion in detention.

1058. Demanding their release, they are apt to get it?—Yes, but difficulties are thrown in the way of their getting their release.

1059. *Mr. W. H. Gladstone.*] Do you not foresee great difficulty in determining when a man may be said to have lost his power of self-control?—No, I should not feel any difficulty; I think that it is a matter of medical diagnosis. There is not more difficulty in regard to the habitual drunkard than there is difficulty in regard to insanity of other forms; medical men have constantly cases of insanity brought before them, and the question in each case is whether or not such an individual is a proper subject for control in an asylum for curative treatment.

1060. Then do you think that a man who, when sober, is in complete possession of all his faculties may still be said to have lost all self-control?—We know very well that we should be able to distinguish in that case his danger by the supposition that if drink was placed in his way the next day, or that very evening, he could not resist it, and that if he once tasted it he would go on from bad to worse; a craving would be set up of which there has been a frequent opportunity of judging before, and that he would go deeper and deeper into the mire.

1061. Do you think that the impulse to drink, in a case like that, is different from other vicious impulses, such as, for instance, an impulse for gambling?—Yes, I think that the impulse is quite different.

1062. It partakes more of the nature of an external disease, like fever, which comes upon a person?—I consider it greatly in the nature of an internal disease; there is also alcoholic influence and some kind of change upon the state of the brain, thus affecting its operations.

1063. But it is analogous to an ordinary disease?—It is analogous to an ordinary disease.

1064. *Mr. Read.*] I suppose that a great number of lunatics have lucid intervals?—A great many.

1065. Are they at those times almost entirely sane?—Many of them are almost entirely sane; some of them are perfectly sane.

1066. *Chairman.*] I have been requested to put this question to you, whether, in allusion to hereditary disease, in your experience a hereditary tendency to insanity has been found in children who have been brought up without the use of alcohol, either in the way of nutriment or of medicine; can you speak upon that point?—I cannot speak from my own experience, but I know it to be the fact that many children have shown the tendency before they had any opportunity of learning the habit.

Dr. JOHN NUGENT, called in; and Examined.

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1067. *Chairman.*] You are a Commissioner of Control for Building, and Inspector General of Lunatics for Ireland?—Yes.

1068. How long have you been in that position?—About 26 years.

1069. You have been present during the examination of Dr. Peddie, and I shall now ask you to proceed your own way, and give information upon the subject of our inquiry, and to state your opinion and your experience upon the con-

nection between the abuse of alcohol and insanity?—As far as my experience goes, I see a very close connection between them, and that in very numerous instances the indulgence, particularly in spirituous liquors (I speak of alcohol) is a very frequent cause of insanity.

1070. Have you any cases by which you would illustrate this opinion of yours?—Perhaps I may adduce extreme cases, because they are the cases which make the deepest impression. I knew an instance

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instance of a professional man who at one time had been in respectable practice in Ireland; he married; he was unfortunate in his business, and, as is too frequently the case, took to drink; he had four children, and each of the four children was either affected with insanity, or was malformed; his wife also took to drinking, and she died in a lunatic asylum, and he it was said committed suicide. This is one of the strongest instances which I recollect of the bad effects of alcohol. I may, perhaps, also observe, taking it as a sort of national characteristic, that at the time when Mr. Mathew preached teetotalism in Ireland, drinking had been largely indulged in for a very considerable period. Although the population in Ireland was then 7,500,000, and is now reduced to 5,500,000, yet, unfortunately, drinking having become prevalent, I see the same amount of insanity in the country as there was when the population was 2,000,000 more than it is at present. I attribute the fact in a great measure to the indulgence in drink; at least I see no other tangible cause.

1071. Mr. Read.] Was drinking indulged in previously to Mr. Mathew preaching teetotalism?—Yes; in fact, the cause of his preaching temperance was the excessive drunkenness in the country at the time.

1072. Chairman.] That being your view of the connection between the abuse of alcohol and insanity, what do you say upon the question whether drunkenness leads up to the disease, or whether the disease leads up to the habit of drinking?—I think that they both act upon each other as cause and effect. I think that, if there is a predisposition to insanity in an individual, indulgence in drink is sure to develop it; and, on the other hand, I think that there are persons who show their insanity by a disposition to drink. I have known that to be so in more cases than one in the same family. I have in my eye the case of a gentleman of fortune; the father of this gentleman was insane, and he had a brother; one of the brothers took to drink, and the other became insane, without ever indulging at all in drink; so that the hereditary disposition showed itself in one by actual insanity, and in the other by drinking.

1073. Have you considered the question of whether the habitual inebriate is a subject for treatment or for punishment?—I think that that is a very difficult question; I think that there is a great tendency in people to cloak crime under the name of insanity. I am not at all prepared to say that the habitual drunkard is an innocent person, or that he should be an object of such commiseration as many people make him.

1074. You have no doubt that there are a number of cases in which the control over the power of drink, however lost, is no longer in the individual's possession?—The more he indulges in it, the more difficult it is to get rid of it.

1075. Under those conditions the party becomes a subject for treatment, and not for punishment?—Certainly, in the ultimate case; but I do not know that it is so in the incipient stages. If a person voluntarily indulges in drink, knowing the results of drinking, I think that he is a responsible person for drinking.

1076. Do you think that punishment would prevent his doing so?—I would not say punishment; I would say that due control should be exercised over him.

1077. You are aware that a very large number of cases are brought up over and over again, and punished according to the existing law, and still

they come?—Yes; those are in the lower classes of society; when the lower classes of society drink they commit some offence, and they are brought before magistrates; but it is the reverse in the better classes, because their drinking is concealed, and it does not come to the surface.

1078. Would you make any distinction between those who commit offences whilst drunk and those who in their own houses, or under cover, nevertheless become habitual drunkards?—Certainly, I would do so as far as regards the bad example to society. I think that the drunkard who goes into the street, and commits offences in it, is in a different predicament from a person who drinks at home and does not outrage the feelings of society in public.

1079. I presume, from what you have stated at the commencement of your examination, that you are familiar with abundant examples, in the middle and upper class of life, of ruination and misery and death as the result of this habit?—Certainly.

1080. Have you formed any opinion as to whether much benefit might not be derived from power being given to prevent persons in that station of life from going on with this habit?—Certainly; I should say that great benefit must be derived.

1081. Have you at all considered the way in which that should be done?—I think that there is a great difficulty to be surmounted in the first instance. I have cases floating before my mind. No later than Sunday a lady called upon me, whose husband is an officer, he joined his regiment some short time ago, and he was put under arrest for drunkenness, he became very violent, and uncontrollable, and the result was, that he was placed in a private lunatic asylum; he had been there for about five or six weeks, when his mind became perfectly restored; but this was not the first time that he had been confined in an asylum; there had been two or three previous occasions when he had been placed in one; I saw that gentleman no later than Thursday, he is perfectly sane, and being so, I do not see that I have a right to detain him in an asylum for two or three months as a lunatic, he being apparently quite as reasonable as I am.

1082. Then your objection is to the asylum as a place of restraint?—Certainly, so far.

1083. What do you say to the proposition of erecting either by the Government, or by private enterprise, places to which such cases as those which you have mentioned could be transferred?—I do not see what power you have of keeping a person under these circumstances, unless some crime is attached to him; that is to say, keeping him in detention under any circumstances in any institution when once he becomes sane; at least it is a question for the law to decide, and not for me to express an opinion upon.

1084. Are you of opinion that because no law exists, therefore an individual may go on, and ruin himself, and his family, and everybody belonging to him, although he commits no crime?—I am greatly afraid that in the absence of law you have no power; I know that in Ireland you have not any.

1085. We know that there is now no power, but I ask you whether, because there is no power, it is desirable to let such a state of things go on unlegislated upon?—I think that it would be highly advisable to meet such cases, if it could be legally done, with due regard to the rights and liberty of the subject, and with a due regard

regard to the right of that subject to dispose of his property.

1086. Supposing that it was proved before an open court that a person was found to be frequently resorting to liquor and bringing on the state of things which I have just described, and that that court had power to order him and his property to be placed under surveillance, is that a method of meeting the difficulty?—I do not think that any court could do it unless the man laboured under delusions; if a man is an habitual drunkard, and if during the period that he is an habitual drunkard he evinces delusions, I then think that he becomes a very proper person to be placed under legal control; but if he is merely depraved from drinking, and is not affected with delusions which are the test of insanity, it appears to me to be a most difficult question to decide, and I do not see how you can meet it.

1087. Are you aware that in Scotland there exists the power of interdicting the property of a person who is wasteful and extravagant?—It may be so in Scotland, but there was a very recent case in the county of Norfolk of a gentleman who spent all his fortune, in which the medical men all testified to his insanity; the law held that he was not insane, and that he had a right to spend his property as he thought fit.

1088. Your statement is that the court held that he was not insane?—Yes.

1089. But if the question had been not whether he was insane, but whether he was wasting his property, might not the law have interfered?—Then you might extend it to gamblers and to people who indulge in various wild speculations and glaring immoralities.

1090. Would you place gambling and habitual drunkenness on the same footing?—As regards the origin of them I would, but I believe that there is this distinction between a man who indulges in gambling and a man who indulges in habitual drinking, that the fact of drinking will ultimately affect the structural function or organization of the brain.

1091. Because you cannot interdict a man from gambling, is that any reason why you should not interdict a man from drinking?—It should be done; I think that drinking is the greatest curse and bane of society; I am raising the difficulties in my own mind, with which you will have of course to contend in bringing the question before the House of Commons to legislate upon, and the most important difficulty which I find is this: suppose that a man is put in confinement as an habitual drunkard, with all the tendencies possible to dissipate his fortune, if that man becomes sane, though you have placed his property under the control of the court, will you deprive that man of the right of disposing by will of his property as he thinks fit; and if you give him that right he may then injure the parties who put him in confinement who may be his nearest and dearest relatives, but who found it obligatory upon them, for their own protection, and the protection of his family, to put him under control; he may revenge himself upon those who would otherwise be the natural heirs of the property.

1092. Are you aware that when a man becomes a lunatic, by inquisition, his property is placed in the hands of trustees, and his person likewise?—Yes.

1093. But if he recovers from his lunacy he regains the power over his property?—Certainly.

1094. Supposing a man to be interdicted for habitual drunkenness, and his property and his person

to be placed in the care of a tutor or of a trustee, upon giving sufficient evidence that he has quitted the habit, and has become able to restrain himself, he would be entitled to be restored to the management of his property, as in a case of lunacy?—Yes, but there is this difference; that in the case of lunacy you can come to a plausible conjecture that the party has recovered, whereas in the case of the habitual drunkard, the moment you let him free he indulges in his drink; that is my experience; that is one of the difficulties which I see with which you would have to contend in legislating; I will just give you a case in point within my own knowledge, namely, that of a lady, a most respectable person in society, who was attached to a convent; she was a nun in Ireland; for 15 or 20 years there was never a person who devoted herself to charity more truly than she did. In consequence of attending upon fever and like cases it became necessary for her to take stimulants; those stimulants grew to be habitual, and to my knowledge (for she has been placed altogether under my control) she has been five or six times in a private asylum. I have let her out, and in three or four weeks, or probably six weeks, she would relapse, though under the strongest influences of religion, and of the most virtuous mind; still there was that disposition to drink, which nothing could control; so that you might say that one can calculate upon the recovery of a lunatic, but you could not say so of the other.

1095. Is not that the case when there is reason to believe that there is cerebral disease leading to idiocy, however it was produced in the first instance?—No, for six months the lady referred to has been as sane as she ever was. Her sister is, I understand, about to take her to France, where the change of scene may produce a good effect.

1096. Is there no intermediate step which you would suggest before allowing a person to go on until drink has produced absolute insanity, so as to lead to overt acts?—As to the lower classes of society, I do not think that the question of habitual drunkenness in the view which I now take of it, viz., as to the right of detention of the party, and the right of disposing of his property, holds good; but I say, without putting an extreme case, supposing that a person of means, say, of 2,000 *l.* a year, begins to dissipate his property by drunkenness, making use of it in a different manner from what he did prior to drinking, then I think that he becomes insane, and is a very legitimate subject to be looked after; because I judge of a man, as regards insanity, very much by comparing his present mode of life with his previous habits.

1097. But such a person as you describe being kept from his liquor would very soon become sane?—Yes, you would be giving him a chance, and I think that it would be very advisable under those circumstances to afford one.

1098. And he would, for that reason, not be a fit and proper person to be detained in an asylum?—Not after a certain period.

1099. But with the knowledge that he would return to his drink on going to his own home, is there no intermediate step which you would propose between keeping him in an asylum, and sending him to his home?—Yes; I think that you should have a control over him. Supposing that a man is put for the first time into a lunatic asylum, testified to be insane by two medical men, he remains, we will say, in the asylum for two months, and he gets perfectly well and is sent

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sent out. Supposing that that man relapsed and was brought back again, I would detain him longer, and after he had had a tentative experience I would continue his detention in the asylum, or in any place where he might be placed, a sanatorium or otherwise. I think that that is the proper way to control him.

1100. Surely if a man is in a condition in which he is according to law not responsible for his actions, that is not a condition in which you would subject a man to punishment?—I do not think that a man who drinks is not responsible for his actions; he may not be responsible for them when immediately under the influence of drunkenness, but as soon as his drinking bout has expired I think that he is as responsible as any other member of society. I think that if that man was made cognisant of the fact that he would be held responsible for any act, the apprehension would exercise a great deal more beneficial control than giving him the opportunity of going in and going out whenever he got drunk.

1101. Do you believe that a man under the impulse of drink, continued for a long time, is really responsible for his actions?—Unless I saw some actual symptoms of insanity about the man, I should be very cautious in saying that he was not responsible. I would make allowanees, but I would certainly not say that the man was irresponsible.

1102. I believe that you have a knowledge of inebriate asylums, independently of ordinary lunatic asylums, have you not?—I have read of them. We have not them in Ireland, and I do not like to speak except of what I know from my own personal observation.

1103. Have you any experience of persons being taken care of in private establishments?—Very frequently.

1104. Being merely drunken people, but kept in private asylums as insane people?—Yes, having been so certified (insane) in the first instance.

1105. And then becoming sane?—Yes.

1106. And nevertheless being detained there?—Yes; and I have known instances of gentlemen who have felt the propensity for drink coming very strongly upon them, and who have taken the precaution of going into the asylum before they indulged in drink; they have had apprehensions of the danger to which they were exposed.

1107. Is not that, nevertheless, in violation of the law?—Such a person goes in without any certificate; he goes in as a voluntary visitor.

1108. Suppose that you found it necessary for that man's welfare to turn the key upon him, and that he brought his action against you for false imprisonment?—I should be mulcted, and consequently would avoid doing so.

1109. That liability must necessarily limit the power of the person who had charge of him, and the sense of that responsibility would be injurious to the exercise of the power?—Yes. In fact, in Ireland the law is that no proprietor of a private house can detain a man in an asylum contrary to the written law of the country; that is so long as he is not dangerous to himself or others. He cannot, though he is insane, be deprived of his personal liberty; and there was an action the other day in one of the courts, against the Richmond Asylum, the district asylum of Dublin; it was brought before the Lord Chief Justice, and the case was tried by a jury; he was as insane, so far as delusions could go, as a man could possibly be, but there was a verdict of 250 *l.* against

the asylum for detaining him there, not being a dangerous lunatic.

1110. Then, all the time that a man is detained there it is a violation of the law?—Yes, unless he remains there voluntarily; he may be a visitor, he may go and reside with the family.

1111. That is throwing dust in the eyes of the law?—I do not know that it is doing so immediately at all events, although the proprietor of the asylum is legally responsible; but there is no one to bring an action if the person himself be a voluntary resident.

1112. Have you any opinion that the people of your country are more susceptible to the influences of one species of intoxication than of another?—Yes; I think that the dangerous intoxication is the intoxication from spirituous liquor, and in fact I may adduce this case in Ireland; we have a bad name, and perhaps worse than we deserve, but when any agrarian outrages, or any outrages on life take place, as a general rule the stimulus beforehand is drink, and invariably before they attempt any act of the kind, the party who is to commit the act is primed well with spirits.

1113. We will take the case of a fair or a wake, in which all the parties have been most abundantly supplied with whisky; when the whisky is in does not the row come out?—Yes, generally; there is a very extraordinary fact, of which I myself was a witness, bearing on your question, and connected with the causes of insanity: I was at the Cork District Asylum, visiting it about nine years ago, when three people were brought in, two sisters and a cousin; they were quite maniacal; two nights before they attended at a wedding, where it is supposed that they got a potion to drink; but two of the three died in the asylum, and I am not quite sure what has happened to the third, whether he is in the asylum or not. Independent, however, of these three, a fourth member of the family, I may add, was stated at the time to be mentally affected, but in a less violent manner. This was the most rapid case of insanity I ever knew from spirituous liquors.

1114. As far as you know had these parties ever been drunk before?—I did not know anything about them; I have no idea.

1115. Do you know whether they had ever been insane before?—No; I know nothing of their previous history.

1116. I believe that when an Irishman at a fair has got a good deal of whisky in him, a fight is inevitable, is it not?—We are not quite so bad as all that.

1117. Do you think that he can help fighting?—It comes perhaps more natural to him than to his less excitable neighbour.

1118. Mr. W. H. Gladstone.] Can you suggest any improved method of dealing with an habitual drunkard as a criminal?—I think that if you had reformatories where the habitual drunkards were deprived of their liberty for a definite time, and obliged to perform work, and were detained for a longer or a shorter period according to the character and the frequency of the drunkenness, it would be desirable. I think that reformatories would prove beneficial to that class of people.

1119. You have suggested a short period of detention?—Yes, at first.

1120. But unless it was made very unpleasant to them there would be very little probability of its bringing about a cure?—I think that if it

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was merely for drinks' sake that a man was put into the asylum, he should not be treated altogether as such a very innocent person. I do not think that his comforts should be looked to without his being made to work, and pay his expenses, as far as possible.

1121. Mr. *Wharton*.] With regard to those persons who have not actually lost control over themselves, but are in the habit of getting drunk whenever two or three of them meet together, or there is anything of that sort; do you think that the present punishment of those people has a proper deterrent effect?—I think that it has. In Dublin, and in very large towns in Ireland, Monday is a day on which, comparatively speaking, very little work is done, and the reason of that is that operatives and labourers get their wages on Saturday, a portion of which they spend in drink on Sunday; on the Monday they very seldom go to business, but for the rest of the week they are as hard working persons as any other members of society, no matter where.

1122. In such cases as those, if there was accumulative punishment, and if a man knew that the first time he got drunk there would be a small punishment, such as a fine, and that for subsequent acts of drunkenness there would be an increasing punishment in the shape of imprisonment, do you think that it would be an improvement?—I think that that is very much what is done by the magistrates in Dublin.

1123. We have heard of a woman who has been brought up 120 or 130 times?—In a case of that sort, I should say that that person was incapable of controlling herself; the frequency of the drunkenness, combined with other habits, as stated by Dr. Peddie, would be thoroughly indicative to me that that party had no control over herself, and was therefore irresponsible.

1124. As a matter of economy to the State, it would be better that that woman should be imprisoned for a certain period, and have to work at some remunerative work, than that she should be continually convicted and kept for a short time, and continually let out again?—Certainly.

1125. So that you would recommend a change in the law to that effect?—Unquestionably for such persons.

1126. Mr. *Read*.] Was the immense temporary reformation which was effected by Father Mathew attended by any religious excitement?—No; it was irrespective of any religious distinctions; though Father Mathew was a Catholic, I think that the Protestants adopted his views quite as much as the Catholics; they were adopted quite as much in the north, which is very much Protestant and Presbyterian, as in the south, which is essentially Catholic.

1127. Did they take a lengthened pledge, or what was the form of temperance?—They generally took it from year to year; many took it for life; and those who took it from year to year, finding the benefits of it, continued it on; that is 25 years ago, and a new generation has now sprung up.

1128. How long did this good effect last?—I should think that it lasted distinctly for 12 or 15 years.

1129. And there has been a gradual relapse?—I do not think that it is so bad as some persons believe. A great many people now take the pledge, and Father Mathew's good example has been followed up, the Catholic clergy particularly inculcate it, and those of their persuasion

take the pledge in large numbers. A coachman of mine took it about ten or twelve days ago; he was tipsy, and I said "I shall not take you on." He promised to take the pledge for a year. I replied, "Very well, do so;" and I am almost as satisfied that that man will keep his engagement as that I am sitting here. From the fidelity with which the lower classes, as a rule, adhere to it, they think it a disgrace to break the pledge, when taken for a definite time.

1130. Taking that pledge is sufficient to restrain them?—Undoubtedly so, to a large extent

1131. Has there been an increase of drunkenness within the last ten years?—Yes, it is more perceptible.

1132. In what class particularly?—In the operative and artisan classes, very humble people have not the means, and when they do drink, it is a spirit in which *coculus indicus* and various ingredients are infused, and sometimes sulphuric acid, so as to give it a burning and pungent taste.

1133. Do they generally indulge in whisky?—I think that those who are essentially drunkards are whisky drinkers, and those who drink beer and porter, I think drink it more dietetically. Some take whisky as if they simply wished to get drunk.

1134. Do you think beer unwholesome as a beverage?—No, I think it wholesome. I think that a man who drinks beer, will never get drunk in the same way as a man who drinks whisky.

1135. Then you put down the intemperance in Ireland more to spirituous liquor than to malt liquor?—Unquestionably.

1136. Mr. *Wharton*.] Do you think that there is a greater amount of adulteration of beer and spirits than there was?—I am sure that there is a greater amount of adulteration of whisky than there was, because it has got dearer, and in proportion to the dearth of an article will naturally be the adulteration.

1137. We have had it in evidence that there is a very large importation of *coculus indicus*, the consumption of which is not accounted for; do you know anything upon that subject?—No; but I have heard from persons capable of becoming conversant with the fact, that in the minor retail shops (not in the large establishments) they mix the spirit with water or sulphuric acid, and they can sell it so much cheaper to the populace who drink it, though of course it has a strong flavour of the spirit.

1138. Major *Walker*.] Mr. White, the coroner for Dublin, rather led us to understand that from his experience there was an increase of drinking, not in the operative class so much as in the upper middle class; does your experience in Dublin tend to confirm that, or otherwise?—Probably from the state of prosperity of the country, which is wonderful now, and particularly among that class, they may indulge more; but I think that the middle classes, to whom Mr. White referred, drink more wine.

1139. Have you yourself been sensible of any increase of drinking in that class?—No, not personally.

1140. You would not confirm it from your own experience?—No.

1141. I do not think that you have given us your opinion as to the extent to which you would hope for cure in the cases of habitual drunkards who had drunk to that extent, that it would render it desirable to put them into a reformatory?—I think that if you can meet the ease in the earlier stages, before it becomes an ineradicable

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cable vice, you may effect a great good by sanatoriums, or whatever name you may give such establishments.

1142. The difficulty is to know how to get hold of a man before he has become addicted to the habit?—As far as I can judge, the system of habitual drunkenness is infinitely more rife in Scotland than in Ireland. The reason why I think so is, that you have not the same outcry against it in Ireland, consequently there is not an equal necessity for well-thinking persons in Ireland as in Scotland to take up the question, therefore I presume that the habit is not so general with us.

1143. Therefore you have not had your attention so much called to the habitual chronic drunkard as to the violent drunkard?—No.

1144. Sir *H. Johnstone*.] Do you think that the number of public houses might be diminished?—There is one disadvantage in diminishing them, namely, that you then make people drink more at home, and it is more demoralising for a man to drink in his family; it is much less demoralising for him to drink in shops rather than at home before his wife and children.

1145. The small shops which you speak of do not seem to be working for the good of society?—No.

1146. You would not desire to see them increased?—No.

1147. What class of shops are they?—They are such shops as you see in this country, where bread or vegetables are to be had; a great number of shops are licensed to sell whisky, and the number which sell whisky are of course in proportion to the licenses granted by the magistrates, but there are a number of those shops in which it can be purchased.

1148. And those shops are quite irrespective of the public houses, or the licensed victuallers' houses, or the hotels?—Quite irrespective of the two latter.

1149. Do you find them in villages in Ireland?—Yes.

1150. And on the roadside?—Yes.

1151. They are provision shops?—Yes.

1152. *Chairman*.] Where they sell groceries?—Yes; it of course rests with the magistrates to license these parties.

1153. Sir *H. Johnstone*.] Is it notorious that drunkards are irregular workers, and not only keep Monday but keep other days of the week as holidays?—No; generally speaking the artisans of Dublin drink habitually two days in the week.

1154. But they are irregular in work?—Then, on the five other days, they work steadily and well.

1155. Mr. *W. H. Gladstone*.] Are you speaking of agricultural labourers?—No, I exclude them in great measure; the drunkenness in Ireland is principally in towns, and not in the agricultural districts.

1156. Sir *Harcourt Johnstone*.] Comparing the two cases, of a man who does not drink and a man who does drink, the drunkard is the more irregular worker of the two?—Yes, decidedly.

1157. Should you not consider it a positive advantage that people confined in sanatoriums should be made to work regularly, and should be restored to a healthy condition of mind and body?—Certainly; I think that occupation should be an essential condition of a sanatorium.

1158. Similar to the treatment pursued in some penal reformatories?—Exactly. Being kept in idleness in one of these sanatoriums would, I think, be only an encouragement to drink; but if

the inmates are made to work in it and earn their livelihood, you can support them cheaply, and you do a benefit to the parties themselves.

1159. *Chairman*.] Next to the drink itself, you think that idleness is the worst thing for a drunkard?—Decidedly.

1160. Have you formed any opinion of the necessity of a man who really wishes to be reformed, to abstain from drinking for the rest of his life when once he has got rid of the habit?—Yes, decidedly; I think it is the first great step.

1161. It is his best chance?—It is his only chance.

1162. Mr. *Read*.] Have the wages of the artisan class in Ireland increased much of late?—It will surprise you to hear that the common labourers working on the quays are now paid 27 s. a week of six days, and they are allowed 6 d. an hour for extra labour after six o'clock. Mr. Boyce, the chairman of the Steam Packet Company in Dublin, told me a few days ago that they struck for 30 s., and compromised for 27 s. a week.

1163. Do the artisans earn still more?—Yes, I am quite sure of it; I know it from personal experience. After having been engaged in expending nearly a million of money on the establishment of lunatic asylums in Ireland, I know that the rise in the cost of building in Ireland now, as compared with what it was four or five years ago is certainly 30 per cent., in consequence of the rise in the price of labour.

1164. The price of labour and of materials?—Yes, but labour principally.

1165. Has the agricultural labourer improved in prosperity?—Not to the same extent.

1166. Nor yet in wages?—No; the agricultural labourer in Ireland is very well paid if he gets 10 s. a week, taking the country at large.

1167. All the year round?—Yes, such wages would be very good indeed all the year round; in the summer months, when labour is scarce for agricultural purposes, such as reaping and mowing, men get 4 s. or 5 s. a day.

1168. As a rule are the agricultural labourers a drunken set?—Certainly not; I think that, comparatively speaking, they are a thrifty set.

1169. Do you think that you may expect, as a general rule, that the higher the wages the greater the amount a man spends in drink?—No, I think not; I think that as a man begins to respect himself, and to dress himself and his wife and children better, he ceases to care so much about drink, when his creature comforts increase.

1170. On the other hand, I think you say that the drunkenness has principally increased in the artisan class, and it is in that class that there has been the largest increase in wages?—Yes; comparatively with what it was before.

1171. Sir *H. Johnstone*.] Is that increase in the price of labour owing to the deficiency of labour, or to what circumstance?—It is owing to the wonderful prosperity of the country; the wealth of Ireland is something extraordinary; I suppose that the savings banks in Ireland contain money belonging to the humbler classes and small farmers much more in proportion than was ever known before.

1172. Mr. *W. H. Gladstone*.] Is that rise in price limited to Dublin?—No, it is general in Cork, and Belfast, and all the large towns.

Friday, 12th April 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Mr. Birley.
Mr. Donald Dalrymple.
Mr. W. Henry Gladstone.
Mr. Mitchell Henry.

Sir Harcourt Johnstone.
Mr. Miller.
Mr. Samuelson.
Major Walker.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Dr. ARTHUR MITCHELL, called in; and Examined.

1173. *Chairman.*] YOU are, I believe, one of the Commissioners in Lunacy for Scotland?—I am.

1174. From your own experience in connection with the matter of insanity, do you consider that the excessive use of alcohol leads to much insanity?—In one way or another it leads to a large amount of the lunacy, crime, and pauperism of Scotland. Of the cases reported to the Board last year in which the cause of insanity was stated, 19 per cent. were said to be due to intemperance.

1175. In what relation does intoxication stand to insanity; I take the word intoxication as different from the moderate use of that word; but in what way does it influence the amount of insanity?—Every man who is drunk is really insane while the intoxication lasts; we do not call him insane simply because his condition is transitory; but in a fit of ordinary intoxication we have really an epitomé of an attack of mania; and a man who gets repeatedly drunk passes through a series of short attacks of mental disease, which may eventually result in permanent cerebral disorder. Intoxication also injures the health in many ways, and may lead to any of the various forms of insanity to which the most abstemious are liable.

1176. Do you mean by short attacks of insanity the ordinary way in which intoxication affects the individual, namely, the confusion of ideas, loss of memory, and so on, are like a brief period of insanity?—Yes, I mean that.

1177. Are there any forms of insanity related in a special manner to drinking, and if so, will you state what they are?—Yes, there are several forms: there is, first, what we call *mania à pōtu*, which is not intoxication, but is a maniacal excitement which comes on as the intoxication is passing off; the excitement does not subside when in the ordinary course of events sobriety should appear. An attack of insanity of that kind may occur in a man who was never drunk before, and who was never drunk afterwards. Then we have *delirium tremens*, which is a disease of the habitual drunkard, but it is not necessary that it should be preceded by frequent drinking to the extent of complete intoxication; it rather crowns the everlasting muddlement of the dram drinker and the tippler. Then

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we have the condition of the drunkard, which is called *dypsomania*, and which occupies a peculiar relation to drinking, being sometimes the cause and sometimes the product of it. Its characteristic is an ungovernable and remitting craving for drink, without any reference to externals; an ungovernable appetite for drink with no reference to social intercourse or to joviality; and it is almost always, if not always, accompanied by a change of character in the direction of degradation, a loss of the sense of duty, of truth, of honour, and of affection. If it has lasted long, there is generally some intellectual enfeeblement. In a great many cases frequent habitual drinking precedes this state, but that is not necessary; it may sometimes appear, without previous habits of drinking, as the result of cerebral injury, the result, for instance, of fever, of hemorrhage, of mental shocks, of the commotion in the system which attends the establishment of puberty, or of the arrival of the climacteric period. I think those are the special forms of insanity which are allied to drinking.

1178. Then do I understand you to draw a distinction between the man who constantly drinks, and the man who frequently gets intoxicated; that the man who frequently drinks and does not get intoxicated, nevertheless leads up to insanity?—Yes, that may be.

1179. Can ordinary drinking be considered as a symptom of cerebral disorder or mischief as well as the cause of it?—Yes; in the last class of persons that I spoke of, drinking is a symptom and product of the disease, and not the cause of it. For instance, when it occurs after a fever, it is a symptom of a cerebral disorder, and not the cause of it; but when habitual drinking has preceded such a state (and this I think should be borne in mind) the cause may become the effect, while it is in the very nature of this effect to prolong and aggravate the cause; what I mean is this, that constant drinking may beget this ungovernable craving, and the indulgence in the craving strengthens the craving, and so the progress is steadily from bad to worse.

1180. Why does drinking lead to insanity in some cases and not in others?—In some men, habitual drinking would lead to other diseases rather than to insanity; in short, the effect is in the direction of the proclivity, but it is certain that

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that many men in whom there is a clear proclivity to insanity would escape but for excessive drinking. The excessive drinking in many persons determines the insanity to which they are at any rate predisposed.

1181. Then you would give us to understand that there would be a predisposition to insanity in one case fostered by actual drinking?—Yes, but there is not necessarily a predisposition; I merely explain why in some men insanity does not follow habitual drinking; I rather explain that.

1182. Have you paid any attention to the hereditary influence of drunkenness, or of excessive drinking, upon the condition of the offspring?—Yes; I have had my attention a good deal directed to that subject, and it is, I think, quite certain that the children of habitual drunkards are in a larger proportion idiotic than other children, and in a larger proportion themselves habitual drunkards; they are also in a larger proportion liable to the ordinary forms of acquired insanity or that insanity which comes on in later life; but with reference to this, I think it should be kept in view that many habitual drunkards are also strongly predisposed to insanity; the habitual drinking in them is just the shape that the insanity takes; and what they transmit to their children is really that predisposition to insanity which they have themselves, and which may find its expression in their children, either in the form of idiocy, or in ordinary acquired insanity, or in some other disease of the nervous system, or in crime, or in pauperism.

1183. Would you put down physical defects, such as strumas, or rickets, or deformity, and class them as amongst the results of hereditary drunkenness in the parents of children?—Yes, I would include that, and epilepsy.

1184. You would include all deterioration of physical and mental condition?—Yes, I would; the whole being is liable to be a lower order of being.

1185. I will now, if you please, take you to the question of dealing with the insanity of drunkards; we have gone over the question of the physiological relation between the two; now let us deal with them; how do you deal with those ordinary forms of insanity which arise from drunkenness?—Those ordinary forms of insanity of which drunkenness is the origin are treated just as we treat other forms of insanity, such as, for instance, those arising from excessive sexual indulgence. A very large proportion of the insanity of the country is due to immoralities of some kind, that is to say, to vicious violations of the laws of health, which could, and should, have been avoided; but when the insanity comes, it makes no difference whether it is due to such things as the puerperal state, or a blow upon the head in battle, over which the patient may be said to have had no control, or to such things as excessive indulgence in alcohol, or excessive sexual indulgence, which may be regarded as vices, and which the patient might have avoided. In short, the victims of mania, or melancholia, or dementia, arising from drunkenness, are placed in asylums, and treated there just as persons suffering from mental disorder, whatever might be its cause.

1186. That is so far as existing treatment carried on in different asylums is concerned?—Yes, that assumes that the persons are capable of being certificated as lunatics.

1187. How would you deal with the special

forms of insanity, which are due to drunkenness?—A man who labours under an ordinary fit of intoxication could be legally certified to be insane, but the statutory certificate requires that he should be also certified to be a fit and proper person to be placed in an asylum, and treated there; and as it is perfectly well known that if you keep him quiet for a few hours the fit will pass off, the certificate cannot be completed. That also is true to some extent, but in a different degree, with regard to *delirium tremens*. Practically few persons labouring under *delirium tremens* are placed in asylums. So it is also with *mania á pôtu*. If the patient's state is recognised to be due to excessive drinking, he is generally kept at home for a time, to see if it will pass away; but in such cases the extent of the waiting will depend upon circumstances. For instance, many more cases of this form of maniacal excitement, directly due to drinking, and the prolongation of the excitement of drunkenness, are sent to parochial than to district asylums, because in the parochial asylums the same authorities control both the admissions and the discharges, and they know that they can liberate the patient when the fit passes off. They know that the condition is transitory, but they think that it is the best and cheapest way to treat it in asylums while it lasts.

1188. That is the result of the Scottish system of managing their lunatics?—Yes, that is what happens in Scotland as regards the lunacy which proceeds immediately from drinking.

1189. When an attack of *delirium tremens* or intoxication goes off, and your medical difficulties end, your legal difficulties begin?—Yes, the difficulties begin particularly with the state that I spoke of as habitual drunkenness, or what is commonly called *dypsomania*. In this mental state, if such disorder presents itself as to justify certificates of insanity, then the patients are placed in an asylum and are left there till those symptoms pass away. But in point of fact, with these persons, if such symptoms do occur, they pass away quickly, and they frequently do not occur at all with such strength as to justify certificates of insanity, or to make it possible at any rate to obtain them. Suppose a man in that state is placed in a Scotch asylum, as soon as the intellectual disturbance subsides he can demand and obtain his discharge as a sane man, because he is no longer in a condition which would make it possible to obtain statutory certificates of insanity, on which he could be committed to the asylum. In the other forms of transitory insanity due to alcohol, to which I have alluded, the patients can demand their discharge in a similar way when a state of sanity recurs; but there is a difference between them and the habitual drunkard, the so-called *dypsomaniac*; their insanity was due to the excessive use of alcohol, which we think they had it in their power to avoid, whereas the very root of the mental unsoundness of the habitual drunkard is an ungovernable craving for alcohol; the intellectual disturbance is merely in addition to this, and when it is gone we have no feeling that their whole insanity is gone, yet such patients can demand their discharge and obtain it, because certificates could no longer be given,—the symptoms upon which they could be given no longer existing; therefore they are discharged as sane.

1190. And yet you have a full knowledge that in a great majority of instances they will go back to

to the same course as that which they have just completed?—Yes.

1191. And that being so, do you think that any special legislation upon the subject is desirable?—As the law stands their state differs, as I have explained, sufficiently from insanity to make it impossible to treat it as insanity; the question is, whether the law should be modified; whether there should be a special law for that condition; in my opinion I think that is desirable, but I desire at once to state that I think it a very difficult thing to say how it should be done, and to what extent legislation should go.

1192. Special legislation being desirable, what are the objects and the nature of that legislation which you would desire; first of all, to what class of patients would you extend it?—I would still treat in asylums all those persons regarding whom the usual certificates of insanity could be obtained; if habitual drunkards exhibit symptoms which in the ordinary and legal meaning of the word make them lunatics, they should be treated in asylums as lunatics while those symptoms last. So far fresh legislation is not needed. It is only required for those who cannot be certified to be insane and to be in need of care and treatment in a lunatic asylum. I would not extend it to persons who get occasionally drunk, say once a week, on pay day. In all those persons to whom it should extend, there should be some evidence of a loss of control, some evidence of an ungovernable craving for drink, more than a company-loving joviality ending in intoxication, even though that may be a pretty frequent occurrence, and though we know very well that in many persons it is just the thing that leads to the ungovernable craving, or to ordinary insanity, or to crime, I think if we attempted to take charge of this class, we should ruin the sober and well-doing, the class is so large. Besides that, it would be like taking charge of people whom we see leading lives certain to end in ordinary insanity or in crime; we must wait till the condition arrives which justifies interference.

1193. Are you aware that the scope of the reference to this Committee does not reach the ordinary, although repeated drunkard?—I presumed that that was the case, but I was anxious to show that I would not extend legislation to that class.

1194. Your answer so far entirely tallies with what the scope of the Committee is; now what would be the effect of the special legislation you contemplate?—I think it should have two objects, first, the cure of the drunkard; and, second, the comfort and well-being of society.

1195. The care of the drunkard and his property?—The cure of the drunkard.

1196. Now we come to the crux of the question, how in your opinion is this to be obtained, and what character should be given to the legislation?—We should hope to attain the first object by prolonged compulsory abstinence under conditions favourable to the general health. Whether this hope would or would not be realised I cannot tell; our experience in the matter in Scotland is far from encouraging; permanent and satisfactory cures are certainly very rare. But the experiment has never yet, I think, been quite fairly made, and it cannot be so made without special legislation; if it were fairly and fully made, the expectation of good results, I think, a reasonable one. It will be seen, however, that these are all grounds for a tenta-

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tive legislation, a legislation which would give us an opportunity of acquiring experience on which further legislation might be more securely founded. About the second object there are, I think, no uncertainties; the comfort of society would unquestionably be often promoted by making it legal to detain habitual drunkards for a lengthened period, and the ruin of families might often be thus averted; I refer to ruin in the broadest sense—loss of property, loss of status, and loss of bodily and mental health. If the prolonged detention of drunkards were legal, the step would often be resorted to quite as much for the well-being and comfort of friends as for the good of the drunkards, but I do not think there is any fault in the principle which leads the State to protect the well-doing or healthy against the ill-doing or unhealthy. At the same time there should be safeguards against abuse; it might lead to abuse, and full inquiry into the propriety of the step should be secured; it should not be left entirely to medical men to settle this, as it is not entirely a medical matter; there should be something of the nature of an inquest into the matter, and so far as Scotland is concerned, I think the order of a Sheriff acting judicially should always be necessary to authorize the detention of a drunkard, and the duration of the detention should be fixed in that order; but there should be a way of prolonging the detention in certain cases, and there should also be a channel of appeal against undue detention. It would be necessary to secure the accomplishment of these objects, that persons received voluntarily should not be allowed to leave sooner than a fixed time, say six months at the shortest, after admission.

1197. You spoke just now of the small amount of really well-ascertained cures?—Yes.

1198. In your opinion, would those cures be in the ratio to the earliness at which the treatment of this class of cases would commence?—I should expect that, but I have no facts upon which I can go; the less confirmed the case, the more curable I should consider it, but in some cases I should predict, without hesitation, incurability even from the outset.

1199. You spoke a short time ago with reference to the necessity of taking care that abuse of this legislation did not take place, and a witness who was examined here a short time ago made this statement, that he had 120 patients in the middle and wealthier classes of life during 10 years, who had placed themselves under his care in a so-called voluntary manner, “and I have had them in the asylum and in private houses; legally, I am bound to let them go, but I have been in the habit of taking an indemnity from the friends and relatives of patients, and illegally keeping them in against their will, and I have done so for as long a time as 18 months;” now that is illegal?—Quite illegal.

1200. No system now existing could permit of such an illegality as that?—Certainly not; I do not think such a thing could be possible in Scotland; I do not think anyone could so detain them in Scotland; I do not know who does this, but I am quite sure that no person could do it in Scotland.

1201. Have you given a description to your own satisfaction of the special institutions to be required and what their nature should be; you would separate the special institutions from the ordinary ones, that you have just said?—Yes; I think

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think that those objects which I have spoken of could only be obtained in separate and special institutions, and such institutions would be of two characters, for paying and non-paying patients; they should all be licensed, I think, by persons authorised to do it. The institutions for paying patients should be left to private enterprise; they would probably be, I think, of various kinds, just as private asylums differ; some would be for patients paying high rates of board, and some for patients paying moderate rates of board; there might also be another division in these institutions, if they obtained any development,—some might be for patients who entered them voluntarily, and others for patients who entered involuntarily. With regard to institutions for non-paying patients, I think parishes, or combinations of parishes, should be empowered to assess for the building of such institutions, or to use any existing building set apart for that purpose; then counties, or combinations of counties, through the Commissioners of Supply, should be similarly empowered to assess for new buildings or to use existing buildings. This, it is true, would be merely a permissive legislation, which is not generally a satisfactory kind of legislation, but is, perhaps, justifiable in this case, because our knowledge of the whole matter is imperfect; it would at least make a thing possible which many people desire, and to which few, I think, would be opposed if it were not at the outset made too binding and wide. But I would be glad to see one building in some central part of Scotland as a beginning, erected by the Government, and the expense defrayed either out of the Consolidated Fund or out of a general assessment. Through this we should acquire the experience we need. The erection of one institution would thus be secured, and the erection of others permitted. Eventually, if the system was found to be productive of good results, and if many institutions were voluntarily created, then this central institution might be used only for those persons committed by a magistrate or by a sheriff, not on the petition of friends or inspectors of the poor. But till the institutions were multiplied, and while there was room in this central one, any person might be received into it for whose maintenance a parochial board was responsible.

1202. Would you grant the power of detention equally in voluntary and in non-voluntary institutions?—I would admit patients voluntarily, but I would not allow patients to leave when they liked.

1203. That is what I meant. In your opinion should persons ever be sent to them directly by magistrates without application being made by the friends, or from what is in Scotland equivalent to the parish officer or the overseer of the poor?—When we talk of being sent by the inspector of poor, it really means being sent by the parochial board. He acts for the board and under instructions from them. But in addition to patients entering in the way I have described, at the instance of friends, or of inspectors of poor, or voluntarily, I think sheriffs and magistrates should themselves have the power of sending persons to be detained in such institution. In the case of lunatics found to be dangerous under the 15th Section of the 25th & 26th Vict., cap. 54, (that is one of our Scotch Lunacy Acts) the Scotch Commissioners proposed last year that a clause should be introduced into the Criminal Lunatics Amendment Bill, authorizing the

sheriffs to order the detention of such lunatics, *when the cause of their insanity was shown to be excessive drinking*, for a period not exceeding 12 months after apparent recovery. The Commissioners proposed the introduction of a similar clause into the Act of 1864. I have copies of the clauses that were recommended by the Board. They were not introduced, because it was thought they did not come within the preamble of the Bills. But if separate institutions were erected, such patients, of course, would not be detained in lunatic asylums. As soon as recovery appeared, they would be transferred from the asylums to these special institutions. Then, I think, it would be well if the sheriffs or magistrates had also the power to commit to those institutions for some fixed period, which should not be too short, any person who had been convicted of drunkenness or breach of the peace while drunk, say three or four times within six months. I think the sheriffs and magistrates should deal with these two classes in this way; because in the first class, if a man proves himself to be dangerous to the lieges through insanity which is shown to be the result of the excessive use of alcohol, then it is only fair that the lieges, if they chose to bear the cost, should have the power of protecting themselves from such a man. All they can do at present is to send him to an asylum, but he gets sane there in a very short time, and must then be discharged, even though committed as a dangerous lunatic. Such an enactment as I have proposed would legalise his detention, notwithstanding his apparent recovery, until the establishment of such health as might perhaps prevent a recurrence of insanity from that cause. In the second class, repeated convictions for disorderly conduct while drunk would be held to indicate a loss of control and so justify interference. If a man is three or four times convicted of a breach of the peace while drunk within six months, I think it is a fair inference that he has lost control over himself and indulges in drink without being able to resist it.

1204. Then, in your opinion, the existing sentence or treatment has no curative effect upon such persons?—I have no knowledge of such result following.

1205. Would you apply those three or four times within six months appearing and being convicted before the magistrates for being drunk and disorderly to all classes; would you make no exception?—I would make no exception.

1206. In the case of those inmates, the cost of whose support would be thrown upon the rates, would you endeavour to make those institutions self-supporting?—In every case in which the support of these persons fell upon the rates, the cost of their maintenance should be reduced as much as possible, I think, by their own work; and in the case of *pauper* habitual drunkards, there should be compulsory work as well as compulsory detention and abstinence. It is very difficult to force people to work profitably, and it might perhaps be necessary sometimes to resort to profitless work, like that in our gaols, to show that work of some kind could not be avoided. The extent to which this would be necessary would depend on the efficiency of the management of the institution; under good management escape from work would not be a very frequent thing. Then it must be borne in mind that most of the persons committed would be persons who *could* work

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work profitably, and work would be good for them; it would not only be profitable in a financial point of view, but it would have a therapeutic value.

1207. You think that work *quâ* work would increase the value of the place to the individual?—I think it would increase the value of their prolonged abstinence very much.

1208. And if a portion of the result of the work could be set aside for the benefit of the individual himself, there would then be a stimulus to exertion as well as benefit derived from it?—Yes, but I do not think it would be safe to contemplate that there would be very much to be laid aside; I do not think a man would often earn more than he would cost.

1209. That is as it may be, but in the event of a man being able to do more than earn his cost, that might be appropriated to his benefit in leaving the institution?—I think so, and I think a good worker should have a present reward as well, in the shape of indulgences and comforts which would not be given to the idle man.

1210. But you would endeavour, as far as possible, to relieve the rates from any additional burden being put upon them?—I think that it is only fair, in dealing with a class of persons like habitual drunkards.

1211. In your opinion, as a man of great experience in this matter, do you think legislation of this kind would tend to diminish drunkenness throughout the country?—I do not think it would; such legislation as is here contemplated would not tend to diminish drunkenness, except perhaps by its indirect effect in making the young feel that it was a disgraceful thing ever to be drunk, and a dangerous thing to be often drunk, as that might lead to compulsory work and loss of liberty. In all legislation of this kind, and in ordinary lunacy legislation as well, we do not strike at the root of the matter; we are dealing with an evil which we have allowed to grow up, by neglecting to give a sound education to the young, so as to fit them to be the intelligent guardians of their own health. I think that is what would really tend to lessen the amount of drunkenness, as well as of insanity and crime. In such legislation as is contemplated at present, we are simply mitigating a mischief, the growth of which we have made no well directed effort to check, and I think it should always be borne in mind that what we contemplate is for our own comfort, as well as in the hope of reforming the drunkard. I should like to see it a compulsory part of all education, for which the State pays, that the young should be taught that it is their duty to understand the laws by which God governs the world, and to pay a reverential respect to them. I do not think it would be more difficult to qualify men for the intelligent protection of their health than to teach them the multiplication table.

1212. And you would take this form of legislation only as an aid to the diminution of drunkenness throughout the country?—Yes, as some aid, but also for our own comfort; the evil exists; we allow it to grow up; yet we may fairly take possession of the victim, and endeavour to do him good, and allow ourselves the comfort which conferring this benefit upon him would yield.

1213. Supposing legislation of this kind was established, who, in your opinion, should inspect and control such institutions as you suggest?—

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Such institutions as we are here contemplating perhaps fall more naturally under the direction of a Board of Lunacy than under the direction of any other existing board; I came somewhat unwillingly to this conclusion, and I think it would be very desirable to keep up a clear distinction between such institutions and asylums for the insane. We treat the insane as people labouring under disease; we are sorry for them and pity them; there is nothing disgraceful in their condition; we do all we can to foster views of this kind; and, though we do, in fact, detain patients and take away their liberty, we still avoid as far as we can all signs of incarceration, and shun the very words which indicate the existence of what we are constantly trying to reduce to a minimum. But I think we should be obliged to deal with a drunkard somewhat differently. He is detained against his will, and if supported by the country is forced to work, in spite of the fact that he is still legally sane, and has the possession of all his civil rights and responsibilities; there is something therefore disgraceful about his position, and something penal in his treatment. I think, therefore, if institutions of this kind were placed under the Commissioners in Lunacy, it would be desirable to keep the distinction between them and asylums for the insane very clearly defined.

1214. Does that opinion arise from the incompatibility of classing habitual drunkards and lunatics from other causes together; you wish to keep the inspection of those establishments separate from the ordinary duties of the Lunacy Commissioners?—I would not like to injure the really insane—the persons we have presently to deal with—in any way; and if having these institutions under the Board of Lunacy were to have that effect, I should be sorry to see it, but I think it would be possible to make the distinction so clear as not to lead to confusion in the matter.

1215. Then removing them from the inspection of the Lunacy Commissioners, to whose inspection would you commit them?—I do not know any existing board whose function it would so naturally be; but you might appoint boards locally, or you might appoint a general board to do the work; or it has been proposed that prison managers might do it, but I do not think that would be desirable.

1216. We have of course to consider the necessity of creating the power of inspection, and if we have to create a power of inspection, should it be a local one in the vicinity of the place where the institution is established, or should it be a central one, somewhat after the same model as the Lunacy Commissioners?—If you established local inspection, there would still be a necessity for a general inspection—for a central inspection which would be in direct relation with the Government.

1217. How has the admission of voluntary patients into Scotch asylums been found to work?—We have a provision in the Scotch law which is not in any other law, so far as I know, and which was introduced with some such object as is contemplated in this Bill. The first clause was introduced into the Amendment Act of 1862, at the instance of the Board, but it was not found possible then to get exactly what the Board wished. A clause empowering patients to enter asylums voluntarily, however, was then passed, which made it necessary that a patient should present himself before a sheriff, and declare his willingness

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willingness to enter the asylum and go through many formalities which gave publicity and trouble in the matter; in consequence of which few persons took advantage of the clause. But in 1866 that clause was repealed, and a clause substituted, by which it was rendered possible for a man to enter an asylum simply with the sanction of the Commissioners on his own written application, and the effect of that change has been as follows: During the first five years, from 1862 to 1866, 50 persons entered the Scotch asylums as voluntary patients, while during the last five years, 184 have entered, making a total of 235, which is a considerable number for a small country like Scotland. Those patients are not always habitual drunkards, but a great many of them are; they are persuaded by their friends to submit to this treatment, and to go into asylums voluntarily. Since 1866 the increase in the number of entrants has been steadily progressing; taking the last five years, the numbers run thus: in 1867, 17; in 1868, 32; in 1869, 35; in 1870, 48; and in 1871, 52. The numbers have been steadily increasing as the clause has been in operation. Excluding the last year's number, and taking the 163 people who were admitted prior to the 1st of January 1871, so as to give time to show whether the residence is usually long or short, I find that 42 of the 163 stayed less than a month, 50 stayed more than one month and less than three months, 28 stayed more than three months and less than six months, 11 stayed more than six months and less than nine months, six stayed more than nine months and less than 12 months, and 26 stayed more than 12 months. On examining the 26 who had stayed over the 12 months, to ascertain who they were, it was found that a large proportion of those who had stayed for so long a time were not habitual drunkards, but persons who had gone into asylums for other causes, persons, for instance, labouring under mild forms of insanity, and who had found comfortable homes and continued to reside there. So far as I know, much good in the way of cure has not come of these voluntary admissions; but it has often been a source of great comfort to the friends of a patient when they have persuaded him to place himself thus in an asylum.

1218. Are you acquainted with the institution called Queensberry House in Edinburgh?—Yes; I know it.

1219. Do you visit it officially?—I have visited it officially; but it is not under the jurisdiction of the Board, and the persons who are there are not lunatics; they are not certificated.

1220. Has it occurred to you to notice that any considerable portion of the patients coming with certificates had those certificates dated either from Queensberry House, or from any other institution professing to treat inebriates?—Yes; the only institution of that kind we have, is Queensberry House, and it was lately observed, that a number of patients entering asylums had been examined there, showing that they had been inmates of the institution at the time that their condition became such as to make it necessary to remove them to asylums, and in consequence of that the house was officially visited to ascertain whether there were persons there, who, in the ordinary sense of the word, were lunatics, but persons of such a description were not found. I made the last two visits, myself, and there were no complaints of detention.

The persons who resided there all said that they had the power to leave when they chose; perhaps, however, that was not quite the fact.

1221. Is there any special clause relating to drinking (I am now speaking of drinking generally), which you would like to see introduced into these legislative enactments?—I should be very glad to see this made law, that if a man sells drink to a person who is an imbecile, an idiot, or an insane person, he should lose his license and not have it again. A great deal of mischief is done, and a great expense falls upon the country in consequence of the sale of drink to imbecile persons,—persons who are notoriously weak-minded; that leads to their committing crimes, or disturbing the peace; the sanest of men in drink do very insane actions; when an imbecile is drunk he is taken up by the police and found insane, and sent to an asylum as a dangerous lunatic, although there is no danger about him in his ordinary sober state; once sent there, there is no way of opening the door to him again; there he remains a heavy charge to the ratepayers all the rest of his life; and he is not so happy as he would have been if he had been left at home. I would be very glad to have a law that would meet those cases.

1222. Has it never come to your knowledge as an inspector, that the surreptitious introduction of spirituous liquor into asylums has been complained of?—Yes; I have known that.

1223. You have no law which makes that an offence except against discipline?—No.

1224. And for it there is no other punishment than discharging the individual if he is found out?—Nothing else.

1225. Would you extend the special clause, of which you have been speaking, for supplying liquors to insane and imbecile people, to the surreptitious introduction of spirituous liquor into the asylums?—I should be very glad to see an extension providing for the punishment of persons guilty of doing what you indicate.

1226. Mr. W. H. Gladstone.] Taking the instance of a person convicted three or four times within six months, and who you think would be a proper person to be detained; I do not know whether you have expressed any opinion as to the length of time?—I think I should make the period, for a person convicted three or four times, not much less than 12 months.

1227. Some of our witnesses have expressed an opinion, that nothing under two years would be of any use?—As I have told you, we have had no experience to guide us; detentions of a year, or more than a year, have not produced many cures; I think two years would be more likely to do it than 12 months, and three years more likely than two years. I should not be very sanguine in the expectation of many permanent and satisfactory cures even from detentions of two years.

1228. The great difficulty with reference to prolonged detention, setting aside the objections as to the liberty of the subject, would be the expense, would it not?—Yes, and for that reason I recommend that those who fall upon the rates should be made, as far as possible, self-supporting by being forced to work.

1229. But even that would not go very far, would it, towards the maintenance of their families?—No, I do not think that it would.

1230. And the consequence of any scheme of this kind must be a great increase, must it not, to

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to the local burdens?—It would increase them in some directions and diminish them in others. A family is often rendered completely unproductive by the presence in it of a father or mother who is an habitual drunkard, and the family would regain productiveness by the removal of the father or mother, and I think such a step would often save a family from falling upon the rates, or at least postpone that result. In other cases, it would undoubtedly cause families to fall upon the rates.

1231. With regard to that is it not the fact that a person who might be called an habitual drunkard really does frequently earn a considerable amount of money?—Yes, that is, a person who drinks largely often supports his family; but I would not extend the law to those persons who get drunk, say once a week, and are probably during the rest of the week working industriously, and managing to support their wives and children.

1232. But those are persons who might come within this condition of being convicted several times?—Of course they might, but the fact that a man on being frequently convicted might be deprived of his liberty would act as a restraint; it would not be a pleasant thing to be confined in this way; life would not be made pleasant and agreeable; this should operate as a restraint; I think the person who was not influenced by that restraint and was frequently convicted, would be a person not likely to support his family, or to be doing much good, that is to say, a person who is three or four times convicted during six months.

1233. What do you say with regard to short terms of imprisonment, say a month; do you think that anything ought to be hoped in the way of cure from that?—Nothing at all.

1234. You do not think it gives even the chance?—Not a chance.

1235. Have many cases of insanity come under your cognizance which were due to drunkenness?—A great number of cases of insanity, 19 per cent. of those cases reported to the Board in 1871, in which the cause of insanity was stated, were said to be due to intemperance.

1236. Mr. Akroyd.] I understand you to recommend that in the Bill should be inserted a provision pretty much to this effect; if a publican should sell drink to an imbecile or to an habitual sot, he should lose his license; are you aware of similar provisions in the Habitual Criminals Act, in Clause 10, which I will call your attention to, as that is pretty much like the clause you would wish to insert in any Bill of this kind, that any person who harbours habitual criminals in his house shall be liable, upon summary conviction, to a penalty not exceeding 10*l.*, and the justice or magistrate before whom he is brought may, if he think fit, require him to enter into recognizances and sureties for keeping the peace, and be of good behaviour for 12 months. I will call your attention to the latter part of the clause: "And any license for the sale of any intoxicating liquors, or for keeping any place of public entertainment or public resort, which has been granted to the occupier or keeper of any such house or place as aforesaid, may, in the discretion of the court, be forfeited on his first conviction of an offence under this section, and on his second conviction for such an offence his license shall be forfeited, and he shall be disqualified for a period of two

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years from receiving any such license;" I presume, therefore, you would be in favour of inserting a clause something like this in the Habitual Criminal Act?—Yes; but the clause I recommend refers only to imbeciles, idiots, or insane persons; I do not know whether that Act extends to Scotland.

1237. No, it does not; you would rather desire that this Act should not extend to Scotland?—I should hope it does not, if its provisions meet my case, as I was not acquainted with it.

1238. I think you recommended as a means of prevention of this vice of habitual drunkenness, that the education should be rather of a physiological, as well as a scholastic character?—Yes, I think there is a great defect in the education of the young, in that respect.

1239. Speaking of the treatment of habitual drunkards, in respect of compulsory abstinence, there seems to be some little uncertainty in your remarks, about the period of compulsory abstinence?—I recommended not less than three months, and not more than 12, in those cases, in which a sheriff, or magistrate, committed a patient, but I added that I thought there ought to be the power of prolonging the detention, if necessary; I think that answers the question you ask. I would make whatever body is entrusted with the inspection of those institutions the channel through which that prolongation should be effected, but I would take care even in doing that, that due and formal inquiry should be made into the propriety of the step, and I would not let it be recklessly or heedlessly taken.

1240. I presume from your evidence, that you have not read the evidence of the previous witnesses?—I have not.

1241. I want to remind you, with regard to this very long period, as undoubtedly it is, imprisonment for two years, that during a portion of that time the prisoner, as I may call him, should be on parole, and allowed a certain amount of latitude, so that he might regain his self-control; with that proviso you would not object to a long term?—On the contrary, I would approve of a long term, but I would not insist that it should never be shorter than two years.

1242. You recommend strongly the industrial occupation of the habitual drunkard who is under imprisonment, that he should, as far as possible, earn his own living?—Yes; I think it would be fair to the ratepayers and good for himself.

1243. You think that your suggestion would have a therapeutic effect, as well as a corrective one?—I think so.

1244. With regard to those asylums, you would have a separate staff of inspectors?—I avoided the term asylums, I always spoke of them as institutions.

1245. But in order to prevent confusion between those separate institutions and lunatic asylums you would have a separate staff of inspectors?—I feel that that is a difficulty; I would certainly desire that there should be a distinction kept up, so that there should be no confusion about asylums for the insane and institutions for habitual drunkards.

1246. Mr. Mitchell Henry.] You make a clear distinction between patients who are violent when drunk and suffer from delirium tremens, and those who are habitual toppers, and have an irresistible craving for drink?—Yes, I make a difference; a man labouring under delirium tremens would be at once recognised as suffering from delirium

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delirium tremens; a man labouring under the mania which immediately follows intoxication would generally be recognised as labouring under that; but an habitual drunkard is something different; he is a man with an ungovernable and remitting craving for drink which has no reference to anything external; it comes from something within him.

1247. What is the average duration of attacks of delirium tremens?—It varies much; a few days perhaps; I can scarcely say with precision.

1248. The attacks come within about 10 days?—Yes, usually.

1249. That, I take it, is the class of patients who come under the cognisance of the magistrates very often for acts of violence; persons whose systems are never free from alcohol, and who commit acts of violence for which they are apprehended and punished by the magistrates?—A person labouring under delirium tremens will not often do that.

1250. But if he was upon the verge of delirium tremens?—A person just upon the verge of delirium tremens would not often fall in this way into the hands of the magistrate; he would be ill, and under some sort of surveillance, being more or less actively insane for the time being; I presume you refer to acts of violence, or breaches of the peace.

1251. What I mean is this, that the habitual toper, a man who is very often an educated man, who has an irresistible craving for drink coming on, after deteriorated health and mental shocks, and so on, does not come under the cognisance of the magistrates for acts of violence?—No, he does not frequently do so.

1252. But the persons who come under the cognisance of the magistrates are the people who are very likely to suffer eventually from delirium tremens; when the attack is over, the man returns to his work?—Yes, he does.

1253. There are two distinct classes, and you would make distinct asylums for those two?—The man who comes often under the notice of the magistrate may be the man in whom the ungovernable craving will ultimately appear; it is not necessary, however, that he should pass through an attack of delirium tremens; acts of violence are more likely to be the result of short attacks of maniacal excitement consequent on intoxication.

1254. What I want to come to is this; the attacks of violence for which men come under the cognisance of the magistrate are at an end much sooner than that class who would do so much harm to their families, who are habitual drunkards?—Yes.

1255. And you then require for the two very different terms of seclusion?—Yes, the term of seclusion would not necessarily be as long for the one as for the other.

1256. Would it not do if the law was altered, so that any person who was convicted of any offence before the magistrates, connected with drunkenness, instead of being fined should be subject to a cumulative penalty extending perhaps to six months, say for the period of his offence, and a further period of seclusion for the habitual drunkenness?—Yes, but the further period of seclusion should be in a special institution.

1257. But that would not meet the case so very common of well educated people, who cannot refrain from drink?—No, it would not.

1258. That class of persons, as I understand, can now resort to institutions in Scotland?—They can go voluntarily into asylums for the insane.

1259. But then they can discharge themselves if they please; the Commissioners do not certify that they are insane?—No, they can discharge themselves, but they have to give three days' notice; we obtained the power to detain them three days in order that the superintendent might have time to notify to their friends that they were about to leave; they can intimate on the day on which they go in that they intend to leave.

1260. Then, if the law was altered to the effect that a man entering a voluntary asylum, with the sanction of the Commissioners in Lunacy, should not be able to discharge himself for a period of 12 months; do you think that such an alteration in the law as that would accomplish what is wanted in the two classes of asylums?—An asylum for the insane is not a proper place for him. It is not desirable to have him in an asylum for the insane; we took that as the best thing we could get; it was not because we thought asylums for the insane were the proper places for such persons.

1261. It might be a licensed house for inebriates?—Yes, a special institution.

1262. Then there are a number of those persons who would not voluntarily enter such an asylum, but who still would eminently require it?—Yes.

1263. Then that would require provision that his friends should be able to incarcerate him for a considerable length of time?—Yes.

1264. After an inquiry much like that of the Commissioners in Lunacy?—Yes; there might be something analogous to the inquest that we have in Scotland for the purpose of appointing tutors-at-law to lunatics, but not so formal nor so expensive. The appointment of tutors-at-law in Scotland up to 1868 was a very difficult and expensive process; it is now rendered cheaper and simpler. The inquiry into the propriety of placing an habitual drunkard under prolonged restraint at the instance of his friends might be something between that and the process required to place a lunatic under a *curator bonis*.

1265. Are you aware that your proposal to establish special institutions of this kind, and to put them either upon the Consolidated Fund or upon the local rates, would be a difficult thing to accomplish?—Yes, but I propose little more than permissive legislation as regards paupers, and as regards those who are not paupers, I leave the matter wholly to private enterprise.

1266. But by simply giving the magistrates the power to make the penalty for habitual drunkenness cumulative up to a certain number of months' imprisonment, and to deprive the person voluntarily entering an asylum or institution for inebriates of his liberty, with the sanction of the Commissioners in Lunacy; that would accomplish very much what is required for the two classes of cases?—May I ask if you would place the first class in prison?

1267. Possibly not?—I would only recommend that one institution should be erected out of the Consolidated Fund or out of a general rate, and I would leave the country to erect the rest, if the country thought them desirable; I would have nothing but permissive legislation as regards the rest, just as we had permissive legislation in regard to poorhouses. Parishes were allowed to build

build poorhouses, and for many years they did not do so. They were permitted to build and they were permitted to assess. I would give a similar power to parishes or counties in this matter; if they considered it to be for their interest to provide institutions, I would permit them to do so.

1268. If a person is committed to prison by the magistrate under a certain sentence, what would be the objection to lengthening the period of his imprisonment on account of his drunkenness?—There would be no curative treatment in that case; he would be treated simply as a prisoner and criminal.

1269. Yes, he would be treated as a prisoner?—There is a difference, in my view, between the ordinary criminal and the man under restraint for habitual drunkenness; I would not treat the latter with all the kindness that I would extend to a person regularly certificated as a lunatic, but I think you would do him no good if you did not in some measure treat him as a person labouring under disease; and if you place him in an ordinary prison you must treat him as an ordinary prisoner.

1270. Take the case of a man committed for assault whilst he was in a state of drunkenness; he is put into prison for a certain length of time, and having been frequently committed, and coming under the operation of this altered law, he would then be sentenced to an increased term of seclusion with a view of curing his craving for drink?—But not in a prison.

1271. In that case he would get a term of imprisonment, say two months with hard labour for the assault, and a further period of detention, say four months afterwards without hard labour in the same prison, or in some other department of the same prison?—I do not think there would be any gain in enacting a law of that kind; you must provide special institutions in which he could be treated; he must be transferred from the prison when he has paid the penalty of his offence to some institution which is organised and designed to attempt at least to cure him; I do not think it would be desirable to have a law which would simply prolong his detention in prison with that object, nor can I quite see that it would be any great economy to the country, as you would have to extend your prisons, and it would be just as well to build separate institutions while you were about it.

1272. But I take your statement to be, that a man who comes under the cognisance frequently of a magistrate is truly criminal; he can avoid getting drunk by avoiding taking stimulants, but the man who is an habitual toper is a diseased person?—But I pointed out that if a man were such as you have described, I would not send him to one of these special institutions; I would not send a man there until he has shown that there is something in his case of an ungovernable craving; I would have that proved; and in proposing that there should be a clause empowering magistrates to commit to those institutions persons who had been frequently convicted, within a few months, of offences resulting from drunkenness, I assumed that the fact of frequency was an evidence that there existed in them some degree of loss of control; if it is clearly shown that that does not exist in them, I would just treat them as criminals, and would not send them to such institutions.

1273. I wish to ask you a question with reference to—

ence to persons who come under the cognisance of the magistrates for violence and assaults while in a state of drunkenness; what is your opinion as to the adulteration of drink in that regard?—I do not know anything about that; I have not given my attention to that subject.

1274. Are not this class of persons liable to become excited with smaller quantities of drink than those in a higher position of life who can get purer drink?—I have no information upon the subject which I think would be either trustworthy or valuable. I have not given my attention to the subject; whether it is that in Scotland we do not hear so much about it, or whether it may be that there is not so much adulteration there, I do not know. There is a coarser kind of spirit sold to the poor than is sold to the rich, but I do not think it is an impure spirit. That there is a difference between the action of different spirits is a certainty. There is a spirit distilled from the potato, which, though pure enough, is more likely to produce delirium tremens than that which is distilled from barley, owing, perhaps, to the fact that the potato belongs to the same family of plants as the belladonna. It is supposed that something passes over in the process of distillation which increases its power of producing delirium tremens. I know that that is extensively believed in Germany, but I never had an opportunity of ascertaining whether it is true or not. We have a coarse whisky, and a finer whisky, but I do not know that the one is more likely to produce those effects than the other.

1275. Mr. *Miller*.] I think you are of opinion that a prison is not the proper place for the treatment of drunkards?—In the treatment of drunkards it is not.

1276. Then we may lay aside prisons altogether as bearing upon the question referred to this Committee. We may take it from you that if drunkards are to be treated, they must be treated in a totally different way; in an institution, as you term it?—Yes; that is so.

1277. I think you stated also with regard to habitual drunkards, that there was a possibility of their being cured?—I said we had very little evidence to show that the chances of cure were great, but that the experiment had never yet been fairly made, and could not be fairly made without special legislation, because without it the detention cannot be enforced or prolonged.

1278. Supposing the opportunity of treating them to be free, do you think that cure could be effected?—I would not like to speak very hopefully about that; I have seen very few cures; I should have very great difficulty in pointing out to the Committee any single case of a permanent and satisfactory cure; but as I said before, the experiment has never been fairly made, and I think that the expectation of a good result, if it were fairly made, is a reasonable expectation.

1279. We have been talking of habitual drunkards of two classes, that is to say, one class who could afford to pay for any expense which might be laid out upon them, and another class who would have to be maintained at the expense of the rates. That latter class would be unable to maintain themselves. Do you suppose from your knowledge of Scotland and the private asylums there, that private institutions could be erected and maintained by the boarders resorting to them?—I think it almost certain that if we had such a law as I have indicated,

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private institutions would come into existence as the result of private enterprise, but if they did not, then it would be the country's fault; I would do nothing more than allow them; I would give them no assistance from the State.

1280. For the pauper class, I suppose, there would be no help for it but to come upon the rates for their treatment, if such a thing was found to be desirable, but amongst the better class it might be brought to pay for itself?—Yes, I think so.

1281. Private asylums in Scotland, as I understand, are sufficiently remunerative to have them established in various quarters?—Yes, they are all understood to be sources of profit to their proprietors.

1282. So that they would require nothing from the public towards their maintenance?—No. They might, however, cost the public something in the way of inspection and supervision, but that should be very little.

1283. And that inspection and supervision would have to be got from the Board, with which you are connected?—If under the Lunacy Commissioners, it would have to be kept distinct from their ordinary work. There is perhaps no existing Board to whom that matter would fall so naturally, but if it were entrusted to them, I think that it should be made as distinct from their existing work as it possibly could be. There should be no confusion in the public mind; that is what I desire to prevent; the public should not suppose that these institutions were the same as asylums for the insane.

1284. I suppose, neither the public nor the patients would like to have the idea, that they were in an asylum?—No, certainly not.

1285. You would look forward to people reconciling themselves to the situation?—Yes.

1286. I think you mentioned something about education; that education was not sufficiently gone into as to the effect or the present state of drunkenness?—Yes.

1287. Do you think that education really leads to the prevention of drunkenness?—Yes, I think a man should abstain from drinking on rational grounds, because he knows it will do him harm, and because he knows that it is his duty to guard his health.

1288. Do you not know many very clever and highly educated men, who are very much given to drinking?—Even amongst the best educated part of the community that part of education is neglected; there is no sound and sufficient education of that kind given to any class.

1289. Taking skilled labour, for example, is it within your knowledge that these men, probably standing at the very top of their business as skilled labourers, are many of them very great drunkards?—Yes.

1290. In any Bill which is brought in for a measure of the kind which is contemplated by this Committee, you would have all public-house people kept in subjection to the fact that they should not sell liquor to imbeciles?—I should like very much to see that law passed.

1291. Would you class people coming in in a drunken state in the position of imbeciles?—I did not refer to such persons. I think, however, that cases would often arise in which it would be difficult to say whether or not the public-house keeper had broken the law, but notwithstanding the fact that such cases would occasionally arise, the existence of such a provision would be a

practical protection to imbeciles. I think that there would often be cases of doubt as to whether the publican had or had not broken the law, but he would avoid the risk, and good, on the whole, would be the result, I think.

1292. Mr. *Samuelson*.] One of the witnesses we have had before us said he thought voluntary refuges for the poor were a good thing, and that they might be made self-supporting, because most of the greatest drunkards amongst the poor were good artisans, do you believe that?—I do not believe that that would actually happen; they would not be wholly self-supporting; the country in establishing such institutions for the poor would have to bear a part of the burden of their maintenance, but I think it very desirable that they should be made as nearly self-supporting as possible, and that there should be compulsory work as well as compulsory detention. It is a difficult thing, however, to get compulsory profitable work; it is easy to get compulsory profitless work, but it is not easy to get compulsory profitable work; a man can work badly when he is compelled to work; he can manage to make his work yield little profit.

1293. But if he were obliged to contribute to his support to a certain extent, and be allowed the balance of his earnings, he would then work profitably, would he not?—I think it would depend very greatly upon the management, whether the amount of profitable work was great or small; a clever management would make it much more profitable than it would otherwise be.

1294. Do you not think it would be partly the case, that the very dullness and monotony of the institutions would make men turn to work to relieve their minds?—Yes; if it were not for the fact that the habitual drunkard is an idle man. Even men who are not naturally idle, when work is forced upon them, are apt to resist it, but the habitual drunkard is naturally an idle man, and can be happy, in his way, when quite idle.

1295. You would not have those institutions in any way connected with either asylums or gaols?—I think it would be better to have separate institutions, if the country is to establish them at all; if there is to be any legislation in the matter, there should be separate institutions really distinct from asylums and gaols; there should be something penal in the treatment of the inmates, but also something medical.

1296. Another witness thought they should not be too large, as in that case the patients would lose their self-respect; he thought the greater privacy there was, the better it would be?—I do not know how far that could be carried out. Very large institutions would be objectionable, but it is difficult to say what *very large* means. When the population came to be 20 or 30, if that was not found to be too many, you might go to 40, and from 40 to 50, and beyond it, according to experience. I would not call such numbers large. These remarks have reference to private institutions.

1297. He seemed to go more to boarding patients out?—And did he propose that there should be any power given to the guardian of the patient?

1298. He said that, generally speaking, he would be left to the dictation of the caretaker, even where it was not within the letter of the law?—That would not accord with my experience as desirable or likely to yield good results---if I rightly understand the scheme.

1299. You would prefer not to have those institutions

tutions under the Commissioners in Lunacy?—I discussed that question with my colleagues, and we feel unwilling to have the work which is at present entrusted to us in any way injured; if this matter was handed over to us, there should be as clear a distinction as possible made between it and the present work of the Board; at the same time it was felt that the inspection of such institutions perhaps fell more naturally to the Lunacy Commissioners than to any other existing officers.

1300. If there was a minister of public health existing, would you think that such inspections would come within his department?—I presume all these matters would fall to him, more or less.

1301. Do you know with regard to habitual drunkards who are imprisoned in gaols for other crimes, what the result to them is of the imprisonment and the consequent forced abstinence?—I know of no evidence of benefit from that.

1302. Can a physician readily recognise an habitual drunkard from one who only occasionally drinks, and is very violent when he does drink?—I am glad that you have asked the question, as I think cases would occur, as they occur in reference to ordinary insanity, which would be doubtful; but there would always be a broad margin of cases about which there would be no doubt. There would be certain cases regarding which doubts would exist, and perhaps they would be numerous. I am not sure how that might be, but such cases occur in ordinary insanity: there are persons whom some medical men think sane and others think insane; so there would be persons whom some would call habitual drunkards, and others would not call habitual drunkards.

1303. You said you hoped a great deal from the effect upon the children of the next generation of such a law as this being passed; would you not think that publicity being given to an inquest upon the case of a man who was a determined drunkard would have a good effect, and that it would be better to have it held in a public tribunal than a private one?—Yes; at present, where a man is a dangerous lunatic, the examination is publicly made; there should be sufficient publicity to guard against abuses, but not an unnecessary publicity; there should be no publicity about voluntary admissions.

1304. Altogether, you hope more from the education of the young, and the sanitary improvements of society, than from anything else?—This proposed legislation does not deal with the causes of drunkenness; it deals with the other end of the evil; our lunacy legislation, in like manner, does not tend to diminish the occurrence of insanity; it takes care of the insane, and sees that justice is done to them, but it has no tendency to reduce the production of insanity.

1305. But in one way it has a tendency to reduce, as it prevents the propagation of insanity?—That is a small effect.

1306. It would not be so small as it would be with regard to the habitual drunkard?—It would not very largely influence the matter with him unless you shut him up for his whole life, and render it impossible for him to propagate.

1307. You spoke of the sale of liquors to imbecile persons, would you not make the law much more stringent with regard to the sale of liquor to young persons?—My concern is with imbecile and insane persons; I did not think of the young, but I should not object to see the same arrangement extended to the case of children; I think that would be a proper and good extension.

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1308. Sir *Harcourt Johnstone*.] Have you had any experience of reformatories for young criminals?—I have not any special knowledge of the matter.

1309. Is it not the system in Scotland, as it is in England, for free work to be used as a system of cure?—Yes, that is very much encouraged, and we always think it does good; it improves the health and increases the tranquillity of the inmates, and does good in many ways; out-door occupation is very beneficial.

1310. Do you think in cases of habitual drunkenness that every sort of work consistent with the previous habits of the patient would be probably of immense service to him?—I think that there should be many kinds of work provided; you would have to turn the man to the best account you could; if he were a tradesman and you knew how to turn his skill to profitable account you would do so.

1311. By mere open air work, would you do so?—That I am not prepared to say. I think it would be necessary to have in-door as well as out-door occupations.

1312. Mr. *Samuelson*.] I wish to ask a question with regard to the question put by my honourable friend, Mr. Mitchell Henry. Supposing a man was in prison for crime committed under the influence of drink, and was afterwards transferred to one of those institutions for the cure of his habits of intoxication, would that not have a very bad effect upon the rest of the patients?—I indicated that if the arrangement was found to work well, I thought that private institutions would divide themselves into four classes, those for patients paying high rates of board, and those for patients paying low rates of board—each of these being again divided into two classes, for patients entering voluntarily, and for patients whose admission was compulsory. With reference to non-paying patients, I suggested that if one institution was founded by Government, ultimately all those patients you speak of should be sent there; while the inmates of all institutions founded voluntarily, if they ever are founded, should only be persons who had not committed crime, and who enter at the instance of their friends or of inspectors of the poor. Ultimately one institution would be the institution to which the class you speak of would drift.

1313. Do you believe that these parishes would go on this voluntary principle?—I have not expressed an opinion upon that subject; I have no knowledge upon which I could form an opinion. If they thought it for their interest, they would.

1314. If you did not do that, you would have two classes; the innocent drunkard sent by his friends, and the violent drunkard sent compulsorily?—I would recognise this central institution as a tentative thing fulfilling temporary objects, and giving us opportunities for the acquisition of experience, but I have defined its ultimate and permanent purpose, if other institutions for paupers sprung up.

1315. Major *Walker*.] You have mentioned that a large number of persons do submit themselves under the present state of the Scotch law voluntarily to seclusion in the existing asylums. I should like to ask whether if the law was so altered that those persons now voluntarily offering themselves should be subjected compulsorily to a period of 12 months, that would not affect the number of persons who would voluntarily come forward?—It would unquestionably.

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1316. *Chairman*.]

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1316. *Chairman.*] Is legislation in the proposed direction held to be desirable by your colleagues?—I think the Committee may accept the opinions I have expressed to-day as substantially those of my colleagues; I should not like to bind them to more than that; but I think we are substantially at one upon the question; we do not recommend a sweeping compulsory legislation at once, but we should like to see the experiment favourably made.

1317. *Mr. Akroyd.*] You stated with regard to this voluntary detention, that you thought that where the patient laid down a certain time which he thought it desirable to remain, that might check the number of inmates?—Yes.

1318. Now supposing that experimental time were not more than six months, do you think that would operate as a check?—I think the six months would diminish the number very greatly; the man who goes in now knows that he can come out whenever he likes; to intimate that he means to leave in three days is a very different thing from giving six months' intimation.

1319. I press you closely, because I have a case in my own experience of an habitual drunkard in my employ, and I induced him to put down a term of three months for his own detention; but if the patient knew there was no term fixed, do you think any inducement would lead him to remain?—I think compulsory detention would reduce the number of voluntary admissions; I have known many patients who have come voluntarily under an obligation to remain 12 months, but they are a small number comparatively, and I think a great many people go in who would not consent to come under such an obligation if they knew they could not break it.

1320. You raised some little alarm at the idea of having these inebriate asylums paid out of the Consolidated Fund, but you would not recommend more than that one of the asylums should be tried experimentally at the expense of the Government?—I would leave all the rest to be done at the will of the country; I would only have one small one as an experiment in Scotland at first—the cost to be paid either out of the Consolidated Fund, or by a general rate.

1321. Would you apply the same remark to England?—I have been speaking with my eye

on Scotland as knowing most about it; but I desire it to be distinctly understood that I would leave all, with the single exception just referred to, to be voluntarily done by the country when thought desirable, and under no compulsion. The legislation I propose would simply enable the country to do this, if such was the wish, and would also secure favourable conditions.

1322. *Mr. Mitchell Henry.*] I wish to ask you about that very important subject of voluntarily entering the asylums; is it not the case that drunkards who voluntarily enter asylums do so during fits of repentance?—Frequently under pressure from their friends; their friends urge them to make application, and to go to the asylum.

1323. During that period of repentance are they not likely to promise to remain for 12 months?—They do occasionally. I know many cases, however, in which patients have promised to remain, and in a very short space of time have changed their mind.

1324. That is the very point that I am endeavouring to press; if it is considered desirable by their friends and by the Commissioners in Lunacy, whom they have permitted to act as the referee to inquire into cases of that kind; or if a person proposes to enter into an asylum for 12 months, as he might do during his repentance fit, what would be the objection to compelling him to stop?—He would not do it if he knew you could compel him; he knows quite well now that you cannot compel him to remain, and therefore he is ready to promise. Many patients have intimated their intention to stay 12 months, and have left within a week.

1325. Is not that the very cause of the failure of the asylum, because you cannot keep them?—Yes, I think that is the cause of it. But even if we could detain them, it should not be in asylums.

1326. To enter an asylum under those terms is to do very little more than to promise not to drink at home?—I think an Act would be of no use of which compulsory detention was not an element.

1327. *Chairman.*] You have a very low opinion of the veracity of a repentant drunkard?—I have.

Dr. FORBES WINSLOW, called in; and Examined.

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F. Winslow.

1328. *Chairman.*] I BELIEVE you have had very long acquaintance with insanity and intemperance amongst the upper, and upper middle classes more especially?—I have for the last 30 years of my life.

1329. I propose to confine the questions which I am going to put to you to that class only; I am not proposing to take you into the lower stratum of the subject we have to deal with. In your long intercourse with these classes, have you found insanity resulting from intemperance to be of frequent occurrence?—In the upper classes of society, the insanity which can be clearly traced to habits of intemperance, of course, is not so great as in the lower stratum of society. It is very often associated with a morbid disposition to take stimulants to excess; but the actual insanity itself is not so easily traceable to habitual intemperance as among the lower and pauper classes of society.

1330. But amongst the upper, and the upper middle classes with whom you have had to deal, you have come frequently in contact with those forms of insanity resulting either from or produced by intemperance?—In the middle class of society certainly, a good many cases of insanity which have come under my observation and treatment have been clearly traceable to habits of intemperance.

1331. I believe that for some very considerable time past you have entertained views upon the necessity of legislative dealing with this particular form of social trouble?—I have.

1332. I think it will save time if you will, in your own way, communicate to the Committee what your views upon the subject are?—My opinion has been that if establishments were organised for the reception of persons addicted to chronic habits of intemperance, hundreds would avail themselves of those institutions, and voluntarily

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tarily surrender themselves for a time to control and treatment. Such institutions are, to my mind, one of the great and crying wants of the age. The class of cases to which I refer are not admissible into the ordinary lunatic asylums, as they cannot be legally certificated to be of unsound mind, according to the strict letter of the law. Medical men who have to certify as to the mental unsoundness of the person prior to his being placed under legal restraint have to state what they themselves observe as to his insanity or mental unsoundness; and unless they can detect some aberration of intellect, evidenced by hallucination, delusion, or clearly manifested disorder of the brain, such as general paralysis or softening; and unless they can insert in the document that the patient is suffering from some aberration of intellect, specifying what its form is, or detect symptoms of diseased brain, such as softening of the brain or general paralysis, they cannot legally sign the certificate. The fact of a man or woman being an habitual and violent drunkard is not sufficient to meet the requirements of the statute test, and therefore there are numerous cases which one would gladly place under restraint,—and which ought to be under restraint,—not only for the protection of their own lives, but for the protection of the lives of others, which cannot be dealt with. It has often happened that these cases have come before me, and I have said, it is a very sad thing to see them without having the legal power of placing them under restraint. I went down to see a nobleman not very long ago, who had been in a state of intoxication for four or five weeks; he had not been sober during that time for one day; but I could see nothing in his mental or physical condition to justify me in advising him to be placed in a lunatic asylum. I was satisfied that the man was killing himself, and ought to be under restraint. This is a type of case which I think should be dealt with by the Legislature. Where you can establish habitual drunkenness, and the patient is not inclined voluntarily to put himself in an asylum, I think the fact of his being proved to be in this condition should be sufficient to justify confinement. There are many cases of this kind that you cannot deal with. I know numbers of ladies moving in very good society who are never sober, and are often brought home by the police drunk. They are wives of men in a very high social position. I have been often consulted about those cases; my hands are tied; I could not legally consign them to the asylums; I have no doubt there is the insanity of drunkenness in them, but it is not the insanity which comes within the strict letter of the law. The Legislature does not recognise habitual drunkenness as a form of insanity, although medical men do. Of course it is very difficult to draw the line of demarcation between what I should term *normal* drunkenness and *abnormal* drunkenness; of course there is normal drunkenness, as there is normal forms of any other vice. It is very difficult to deal with drunkenness as a vice; but when it passes the boundary line, and ceases to be a vicious propensity, whatever form it may assume, then the depraved morbid craving for stimulants is clearly traceable to the mental condition, and of course under these circumstances you may deal with the disease, or you ought to be able to deal with it. There is a morbid craving for stimulants which is clearly traceable to a brain condition; it is a form of

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insanity, although it is not recognised by law. A man who has had ample opportunity of observing these cases, and studying them, is able to diagnose pretty accurately the difference between normal drunkenness and abnormal drunkenness. But you may have, as I said, ordinary licentiousness, which you may see manifest in all parts of London in the public streets; that is a vice which is very difficult to deal with, except by the police; but that vice sometimes passes from the normal into an abnormal state, and the exaltation of the instincts becomes a disease, or mania. There are very many forms of insanity springing out of the indulgence of the passions.

1333. I gather thus far from your evidence, that you do not consider the ordinary lunatic asylum the proper place in which a person should be put who is labouring under insanity, the result purely of intemperance?—I think myself, in the absence of any other kind of institution, we have no other means of dealing with these cases, but I think it is a form of insanity which ought not to be associated with ordinary cases of lunacy; If we have institutions distinct and apart from ordinary lunatic asylums, and placed under a distinct course of direction, and perhaps with a different class of inspectors and directors, they would, I think, tend very much to diminish the amount of drunken insanity.

1334. And it would tend to lessen the number of the inmates of the asylums as they now stand?—Undoubtedly, because for a certain time a man may show a morbid and diseased craving for drink without any other symptom of mental aberration, or without any other symptom of disordered brain; but if it goes on unchecked and untreated, it must pass into actual insanity. If we could deal with those cases in the early stage in which you have morbid irresistible and uncontrollable desire for drink, if you could check it in that stage, by placing the patient under strict control, and deal with him as you would deal with any other form of disease in its incipient stage, you would arrest the development of incurable forms of disordered brain. These terminate either in chronic aberration of the mind or in chronic brain disease.

1335. Is it not the fact that as regards the dietetic treatment of the ordinary insane, and of the habitual drunkard, a person drunk from an excessive indulgence in liquor, there is a difference made, that is to say, is it not the fact that a person suffering from ordinary insanity may require a considerable quantity of stimulants?—In some cases.

1336. Whereas where it arises from indulgence in drink, it is a great mistake to give drink?—It must not be given; it is a great mistake to suppose that injury arises from stopping the drink; it is poison that is imbibed, and you must stop the poison, and you may do so with perfect impunity.

1337. The dietetic treatment is not the same?—No, it is not; of course there are certain forms of insanity associated with a considerable amount of vital depression, in which cases you must give stimulants.

1338. How far do you believe, that if private institutions provided with legislative power to retain patients for an adequate period of time were established, they could be made for the upper and middle classes to pay their way, our object being of course to separate those which could

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could be provided by the State in some shape or other from those which could be provided by private enterprise?—I believe such institutions would be a national blessing, and in many cases, I believe, they would be self-supporting. I am satisfied that I could have had under my care some thousands (I am speaking within bounds) of cases of morbid drunkenness; I might say, of insane drunkenness, which I could have placed under restraint if I had had an opportunity of doing it. I have seen the most frightful amount of loss of life, poverty brought upon families, grievous, dreadful, and dire domestic distress and sorrow, and families wrecked and ruined by not being able to deal with those cases. In fact, as I have often said, "Your husband or wife is committing suicide, and requires as much to be controlled as if they were taking belladonna, or opium, or any other form of poison." I look on alcohol as a poison. Every means should be had recourse to to limit or restrict the sale of a poison, as you interfere with the indiscriminate sale of opium, prussic acid, or arsenic. Alcohol is not a necessary of life; it should be dealt with by the Legislature as a poison. A person goes into a dram shop, and takes his rum or whisky; he imbibes a poison. After a time his nervous system becomes saturated with it, and the brain itself becomes surcharged with alcohol; and as is the case very often with chronic drunkards, on examination after death, if you apply a light to the fluid in the ventricles of the brain it ignites into a flame. You can actually distil alcohol from the brain of chronic drunkards; the brain is so saturated with the spirit, and of course the whole source of vitality becomes poisoned.

1339. Are you of opinion, with regard to these institutions destined for the inebriate and the asylum proper, that there should be no confusion between the two, either in the public mind or in the legislative mind?—I should keep them quite distinct. I believe that if sanatoria were established on a broad basis, and the inmates of those institutions were allowed a certain amount of rational enjoyment, and subjected to the minimum amount of restraint, and that not an offensive restraint, and had all the reasonable indulgences of life brought within their reach, thousands would go into those institutions; how long they would remain is a very different question.

1340. Have you at all formed an opinion as to under whose control or inspection such establishments should be, because you would, of course, desire that they should be both controlled and inspected?—I think they should be subjected both to legal and medical inspection. I question very much whether, considering how overworked the present Commissioners in Lunacy are, you could fairly put under their control and supervision any institution of the kind. I think that there should be a distinct and separate board for the supervision of those institutions.

1341. The boundary between vice and disease which Dr. Mitchell has so accurately drawn is one which might be left to the educated mind, but which could not be left to the ordinary inexperienced person?—No; I think that a medical man who has had practically to deal with these cases has very little difficulty in coming to a right conclusion as to whether the boundary line has been overstepped, in other words, whether the condition is that of *normal* or *abnormal* drunkenness; whether it has passed from one stage into

another, just as he can distinguish eccentricity in one man from eccentricity which has passed into actual insanity in another. Experience gives him an additional sense, and enables the physician to come to a right conclusion; he ought rarely to commit a mistake in his diagnosis. I am referring to the judgment of an experienced physician. There are certain symptoms that clearly indicate dipsomania, in which the morbid craving for drink springs from a disorder of the brain, and there is a craving for drink which is to be considered as a vice. I have had in my own institution a great many patients who have come voluntarily and placed themselves under treatment. Perhaps there has been a little undue straining of the law to receive them, but there has generally been some physical symptoms which you could lay hold of, such as, perhaps, general paralysis, or symptoms of some other form of organic disease of the brain, such as loss of memory and faint scintillations of aberration, so that if he can get hold of these facts, the medical man is justified then in certifying, but without that he cannot do so.

1342. In the event of institutions such as these being established, you would of course give a power of detention for what might be deemed an adequate length of time by parties who had the control and superintendence of the institution?—I am certain that nothing good could be done for these cases unless they were kept for a considerable time under control; it is difficult to say the amount of time they should be detained under supervision; I should say 12 months at least would be a fair test of recovery, and even then I am not certain whether the habit could be eradicated. A man places himself under control, and is thoroughly conscious of his sad and lamentable condition; he feels the necessity for restraint; he knows that he, by his habit of intoxication, is ruining himself and beggaring his family. He says, Here I am, take charge of me; I will remain any time you like under restraint; I surrender my free agency into your hands; and in the course of perhaps a fortnight or three weeks he is apparently well; the poison in the shape of stimulants, is kept from him, and he loses the craving for it, and is apparently in possession of his senses; the craving for drink perhaps returns; perhaps it has been in existence during the whole time he has been under restraint, but has been kept in subjection. He says, I feel quite well and I want to go out, I want my liberty; you cannot restrain a man under those circumstances, unless you are legally authorised to do so; if he signs a document and says, I voluntarily surrender my freedom, and place myself in your institution for six or more months, that document would have no legal force if the man, when he was apparently restored to his senses, were to say, I will remain here no longer; I want to go. If you say to him, You signed a pledge to remain here for six months, he would say, I do not care for that document; and would tear it up just as a man would tear up his will. But if any legislative enactment provided for a contingency of that kind, we might say, You think you are well, but we do not think so, and we cannot allow you to leave until we are satisfied that this dreadful habit has been eradicated; but how to discover when the morbid desire for stimulants is really cured is a problem I cannot attempt to solve, for in the majority of cases of habitual drunkenness there is associated

associated with it a disordered state of the brain which you do not cure; there is a disordered appetite which you do not eradicate; although you keep the patient from drink, the craving for it is sure to return; there is no class of affections which, viewing them as mental affections, are so liable to relapse as drunkenness; you apparently extinguish other forms of mental disease, but with regard to this unhappy propensity, you never feel safe that the habit is crushed.

1343. Mr. *W. H. Gladstone*.] I understand you to say that you would not advocate compulsory detention until the habit passes the bounds of mere vice, and assumes the nature of a disease?—I would not until the craving for or the indulgence in stimulants was clearly symptomatic of a mental or brain disease, or a disordered condition of the mind or brain manifesting itself principally in a craving for stimulants; there is no doubt a form of disordered brain in which the craving for stimulants is the prominent and very often the only symptom.

1344. Should you say that the ordinary drunkenness among the lower classes is of that character?—Certainly not; there is an enormous mass of drunkenness in the lower classes which cannot be traced either to mental or brain disease in the right acceptation of these words. The habit of drunkenness so in many cases eventually passes into mental alienation and brain disorder, and in thousands of instances it does. The county asylums of this country are filled with such cases.

1345. And you do not consider the term habitual drunkards includes that class?—No, I do not; I think there are habitual drunkards as well as there are habitual prostitutes, and persons who habitually indulge in any other form of vice. It is their natural and normal state.

1346. Mr. *Mitchell Henry*.] Did I understand you to say that the fluid in the ventricles of the brain of an inebriate patient could be ignited?—Yes, there have been cases upon record where the serum in the ventricles of the brain of a chronic drunkard has actually been ignited.

1347. Have you ever seen that?—I have never seen it myself.

1348. Have you ever seen anybody who has seen it?—No, I have not; it is so recorded by experienced authors; some German authors, and some French authors have referred to it.

1349. It has never come within your own experience?—I have never tried the experiment.

1350. Mr. *Akroyd*.] Were you alluding to cases of spontaneous combustion?—No, I was not.

1351. Mr. *Mitchell Henry*.] Do you believe that the evidence is of such a character that we can believe it?—It appears to come from very good authority. I do believe, in habitual drunkards, that the whole nervous structure, and the brain especially, becomes poisoned by alcohol; all the mental symptoms which you see accompanying ordinary intoxication result from the poisonous effect of alcohol upon the brain; it is the brain which is mainly affected. When a person takes stimulants to excess and becomes inebriated, it is in consequence of the brain being poisoned. In temporary drunkenness, the brain becomes in an abnormal state of action, and the mind in an abnormal state of alienation, and if that habit persisted in for years, the nervous tissue itself becomes permeated by the alcohol; and organic changes take place in the nervous

tissue of the brain, producing that frightful and dreadful chronic insanity which we see in our county asylums, traceable entirely to habits of intoxication. You will never diminish the amount of pauper insanity until you deal with the great question of alcohol, and by legislation prohibit as far as you can its improper sale. I look upon public-houses as great centres for the distribution of poison. There would, no doubt, of course be great difficulties in practically dealing with this question. I should, by legislative enactment, put as many restrictions upon the sale of the various kinds of alcohol as I should restrict the sales of ordinary poisons; I think alcohol should be both dealt with as a frightful source of moral and physical deterioration. The human race, morally, mentally, and socially, is, I believe, deteriorated by that poison; drunkards have drunken children. I was reading some statistics of idiots in the State of Massachusetts, where actually half the idiotic children were traceable to drunken parents; and it is the case that a large per-centage of frightful mental and brain disturbance can be traced to the drunkenness of the parents, recognising the great physiological law, that "like begets like;" I was looking at some statistics the other day in a list of criminals; there was "a father a drunkard, grandfather a drunkard, grandmother an idiot," and in the whole line there figures that family; they were drunkards, they were criminals, they were idiots; all the forms of vice were hereditarily transmitted.

1352. Mr. *Birley*.] What is the effect upon an habitual drunkard if he is suddenly and absolutely cut off from his accustomed stimulants?—There is a degree of vital and mental depression.

1353. But no serious injury to the constitution itself?—I do not think so; I have never seen it.

1354. Under what authority would you propose that an habitual drunkard should be detained in confinement in such asylums as are contemplated?—If there is a legislative enactment dealing with these institutions, I do not think there would be any difficulty in carrying it practically into effect.

1355. Upon medical certificates, and the authority of a magistrate?—Yes.

1356. And then I suppose you would have those asylums under the control of the Government Inspectors or Commissioners?—Yes, certainly; and there is another provision of the law which I should like very much to see carried into effect, and it has been carried into effect with great success in some of the American States, that if you can establish a case of habitual drunkenness against a man, and prove that he is ruining his family and squandering his property, although he may not be in a condition of mind to justify his being placed in a condition of legal restraint, in certain states of America, the relatives have the power of representing to a judge in the state, "this gentleman is drunk several times a week, or chronically drunk; place him and his property under the protection of the law," and that is accordingly done.

1357. Are you aware whether that power is abused very much?—I cannot answer that question, but I think that is a very wise provision; and I have seen in my own experience families perfectly ruined and beggared by the head of the family being a drunkard, and not being able to be dealt with; I always thought what

Dr. F. Winslow. 12 April 1872. a blessing it would be if there could be a mild provision of the law recognising the condition of recklessness or improvidence caused by drink, under which property is being squandered; and that upon the receipt of proper evidence the judge be authorised to say, I take from the control of this habitual drunkard the management

of his estate, and place it under the care of persons appointed by the court, until he shows that he is fitted to manage it himself. Of course I refer to persons who are habitual drunkards, and whose mental powers are evidently impaired by drink.

Mr. BALFOUR BROWNE, called in; and Examined.

Mr. B. Browne. 1358. *Chairman.*] I BELIEVE you are a barrister-at-law?—I am.

1359. And that you have written a work upon medical jurisprudence in insanity, and on insanity, in its legal relations?—I have.

1360. In preparing this book, I believe you have visited various hospitals and asylums for the insane?—I have.

1361. And have paid considerable attention to *inebria*, as connected with insanity?—As a form of insanity.

1362. And with regard to the remedial means which may be applied to such cases?—Yes.

1363. I do not propose to take you through the medical distinctions between the insane and the inebriate insane, because we have had that before us repeatedly, but you draw a broad distinction between simple and habitual drunkenness, by the fact that the individual labouring under the latter has not the power to refrain from stimulants?—I would draw this distinction between habitual drunkenness and dipsomania, or oinomania; I think possibly the habitual drunkard may have the power of refraining from stimulants. I believe that the dipsomaniac, or oinomaniac, may not have that power.

1364. And that so far as the dipsomaniac, or the oinomaniac, is concerned, he or she is insane?—Yes.

1365. One form of the disease very often passes into the other, does it not?—Yes; habitual drunkenness very often passes into insane drunkenness.

1366. But it is not to be confounded with it nevertheless?—No; I might add that I believe insane drunkenness may arise without the habit being contracted previously.

1367. But habitual drunkenness is a habit which, being contracted, may afterwards pass into insanity?—Yes.

1368. Dipsomania is a craving for stimulants which the individual cannot resist?—That is so.

1369. And oinomania is a craving which is too strong for anything; that is to say, that no power that you can bring to bear upon him will prevent him from taking stimulants?—I believe there are no moral means which can be brought to bear at all to prevent the oinomaniac from having recourse to stimulants.

1370. How would you propose to treat those persons; would you treat them upon a different plan?—I would distinguish between the treatment of habitual drunkards and the treatment of oinomaniacs in this way: I think that the refraining from stimulants being within the power of the simple habitual drunkard, the Government ought to punish him in such a way as to induce him to refrain from stimulants, it being within his power to do so. In his case, I believe, that punishment would have some good effect. So far as the oinomaniac is concerned, I think that no punishment would have any effect, and there-

fore, that the whole treatment ought to be curative instead of punitive, as in the case of the habitual drunkard.

1371. Should you be prepared to advocate the establishment of some separate institution apart, either from asylums upon the one hand, or gaols upon the other, in which such cases might be dealt with, with a view to their cure?—I think that possibly habitual drunkards might be dealt with in prisons, I think that oinomaniacs might perhaps be dealt with in asylums. I think, however, judging by the general opinion of the medical profession, that it would be desirable to separate oinomaniacs from the insane proper, because the length of time required for their cure is so much greater than in the case of persons labouring under insanity.

1372. I understand that you are averse to private establishments for the treatment either of habitual drunkards or of oinomaniacs?—I am altogether averse to them in connection with insanity, and the objections to them in connection with habitual drunkards are much greater.

1373. You would rather have some recognised public institution which should be under the control of the State, in some shape or way?—I should prefer something similar to our county asylums in England, or to the chartered asylums in Scotland.

1374. And that they should be under the care of some local authority, which should be of a public nature, or subject to public control?—I would have them under the control of the local authority, subject to a strong controlling authority, as in the case of our borough or county lunatic asylums, which are under the borough or county magistrates, and indirectly under the control of the Lunacy Commissioners.

1375. From your view of the circumstances you would consider that the ordinary habitual drunkard is responsible morally and civilly for his acts?—I hold him to be so, as the law at present does; a man committing a crime under the influence of drunkenness is held responsible for the crime he has committed.

1376. But as regards those whom you call oinomaniacs, you hold them not to be responsible?—I hold them to be irresponsible morally, and civilly incapable of performing any of the duties of a citizen.

1377. Therefore as regards those you would see no objection to placing them, both as regards their person and their property under tutorship, as it is called in Scotland, or care, or by whatever term you describe it?—I think it would be most desirable to do so.

1378. Therefore whenever an individual was in that condition you would hold that he was not subject to moral influences?—I should hold as Professor Christison has said, that he was insane.

1379. How would you provide for his detention

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tion in such a case, would you have him examined before some public body?—I think it must be done as in Canada it has been the practice to do it, namely, before a judge; under no other circumstances could we get at the exact justice in any case, which is absolutely necessary; to trust merely to medical certificates, in my opinion, would not be sufficient.

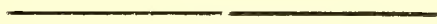
1380. Are you acquainted with the active interdiction which prevails in Canada under which the investigation in that country is conducted by the consent of the parties before a public tribunal?—I am very well acquainted with it.

1381. Are you aware that in Canada it has been very rarely called into action, because the very existence of that Act has enabled the rela-

tives to interfere with the individual, and prevent his going to such an extent?—I should have thought it very probable that it would be so: I think that a very proper use of courts of law is not only to decide the cases which come into them, but to keep a great deal out of them.

1382. Mr. Akroyd.] What distinction do you draw between oinomania and dipsomania?—I do not think there is any real distinction between them; the one is derived from the word signifying “wine,” and the other from the word signifying “to drink,” therefore the word oinomania is not really applicable to the lower classes.

1383. You consider that the two mental diseases are almost identical?—I consider they are practically identical.



Tuesday, 16th April 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Mr. Birley.
Colonel Brise.
Mr. Donald Dalrymple.
Mr. Downing.
Lord Claud John Hamilton.

Mr. Mitchell Henry.
Mr. Miller.
Dr. Lyon Playfair.
Mr. Clare Read.
Major Walker.

DR. LYON PLAYFAIR, IN THE CHAIR.

Mr. DONALD DALRYMPLE, M.P., (Chairman of the Committee), Examined.

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1384. *Chairman.*] HAVE you recently been in America with a view to the study of the laws there with reference to inebriates?—I have. I spent two months, September and October of last year, there, for that purpose.

1385. Will you be so good as to give the Committee the result of your examination and experience?—The number of institutions visited by me were nine in number; namely, one in Canada, and eight in the United States. They comprise all that exist as wholly public, or as partly private, institutions, on this Continent, with the exception of one at San Francisco, to which place my travels did not extend. Of these, all except two receive contributions and support from the State, and are all regulated by charter, or by some act of incorporation, and managed by committees; they have, nevertheless, originated either with societies or individuals actuated by philanthropic motives, and are partly maintained by them. The powers granted by the charters or acts of incorporation vary a great deal; each is a state as distinguished from a national institution, and much greater powers are given by some state legislatures than by others. I lay before the Committee a Return from each institution furnished from the books by the superintendent; and as they are all in form, previously framed by me, I will only here quote the aggregate result. According to the annexed statement, the grand total of admissions, male and female, of the nine establishments since their opening, was 5,959, of whom 1,305, or nearly 23 per cent., were first admitted once; 227, or nearly 4 per cent., were re-admitted twice; and 97, or nearly 2 per cent., were re-admitted thrice. Of such admissions 5,515, or about 94 per cent., were voluntary; 144, or between 2 and 3 per cent., were admitted by the intervention of friends; and 214, or nearly 4 per cent., were committed by justices: the results being, that of the 5,959 who have been or were so under treatment, 2,018, or nearly 34 per cent., were cured and discharged; 318, or over 5 per cent., received benefit; 11, or considerably less than a quarter of 1 per cent., died; 3 became insane; and 378, or between 6 and 7 per cent., were returned as incurable. The average number of years that those institutions have been at work is five years and 26 days, the longest period being

that of the Washington House, at Boston, which has been at work 14 years; and the shortest period, that of the Baltimore Asylum, in Maryland, having been at work only 15 months. I made many inquiries of persons other than those connected with inebriate institutions (medical, legal, clerical and lay) as to the effect produced by them, and received many and various opinions; but, on the whole, largely in favour of their utility. The first institution I visited was that of Belmont, a few miles from Quebec; it is a small private one, and has been in work six years; 87 patients have been admitted, 51 are stated to have been cured, 15 improved, and 22 incurable. I learn, however, that it is common for persons to come here only for a few weeks, get over the effect of a debauch, and go out. These furnish a large portion of the recurrent cases, and I should deem it desirable to reduce the cures properly so called by a fourth or third.

1386. In the whole result?—No, in this particular Belmont Asylum. This place, also, has lunatics, properly so called, under the same roof, and though not associated with them, that circumstance must diminish the value of the evidence derivable from it, as to proportion of cures. This is the only one in Canada, public or private. There is, however, a law in the Province of Quebec, lately introduced, by which a party can be placed under interdict, both of person and property, for habitual drunkenness. The Act is recent, and has not often been put in action, but it is effectual in preventing any interested or fraudulent application of it, by making the habitual inebriety of the party accused clear to a public authority. I will put in this Act for the use of the Committee, if they should wish to inspect it. The indirect action of the law is far greater than the direct, inasmuch as tipplers will go voluntarily to the discipline of an inebriate asylum, rather than undergo an inquiry into their conduct. The second institution is that of Chicago; this, as well as all the other American establishments, receives none but inebriates. I draw the distinction between that and the one at Canada, which receives also lunatics. I have received no returns, and believe that all the documents perished in the late fires. The patients are all there voluntarily, or by the persuasion

suasion of their friends and relatives. Police magistrates have power to commit persons who are brought frequently before them for drunkenness, or for offences committed while drunk, to this place; but it has been found to work so injuriously upon those who are voluntary inmates, that it has been given up, and the want of a reformatory for criminal drunkards is greatly felt. This was very strongly expressed to me by an eminent physician, Dr. Davis, and repeated by Mr. Morey, Mr. Hull, and other leading men in Chicago. The cures are stated at 50 per cent., and a greater reliance can be placed on this statement, inasmuch as no case is written off as cured which has not been watched or traced for a considerable time after leaving. Once a year a public meeting is held, at which those who have been former inmates assemble, and relate their own experience, and cheer others to greater exertions; the result is stated to be that over 600 who would have been lost have been saved; many are benefited, while a large number have turned out hopeless cases. There is one peculiar feature here, which was repeated in two other institutions, and is one of the arguments for (while there are many against) having them near a large town, that several patients go into the town to their daily occupation as clerks, compositors, book-keepers, &c., and who kept on till they had acquired sufficient power of restraint over themselves. The American system of boarding renders this more easy, for it is the hours of idleness, not of labour, that present the temptation; the parties being voluntary inmates, the superintendent has no power to prevent them going into the town, for it is only in cases of actual delirium tremens that they can be restrained. Mr. Van Court, the superintendent, as well as other gentlemen, lamented the want of this control, and, as will be seen, this is a universal opinion. Then I visited the institution at Media; but before visiting the Inebriate Asylum at Media, near Philadelphia, I took the opportunity of spending some time with Dr. Kirkbride, the intelligent superintendent of the great State asylum near the city, and Dr. Rae, also in charge of another similar establishment in another state; both these gentlemen, whose knowledge and experience are beyond all question, threw grave doubts upon the permanency and reality of many of the so-called cures; they said that those connected with inebriate reformatories dealt in general assertions and flourishes which diminished greatly when closely examined; that they had received into their respective asylums several so-called cures at inebriate establishments. They said also that persons, actual inmates of these places, would come into the town and get drink; they also said that liquor was used in some of them advisedly, and also surreptitiously. I have examined these statements, and find that they are substantially correct, but that they are not materially at variance with what is expected by the managers of inebriate asylums, on whose soberness and fairness most reliance can be placed. These gentlemen, Drs. Kirkbride and Rae entirely endorse the opinion that legal power to restrain persons from leaving too soon, if beneficial results are to be looked for, must be conferred. I find, moreover, that it is the custom of many lunatic asylums to receive inebriate patients without certificates, and consequently illegally, and that a considerable revenue is derived from this class of patients who are nearly all of the affluent class. I visited the establish-

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ment of Media twice, though I only once saw the superintendent, Dr. Parrish, who from length of experience, accurate knowledge, moderation of views, and sobriety of judgment, I place at the head of all those with whom I have had communication. I saw some 12 or 14 out of 23 patients in the house, and conversed freely with them on their position, prospects of being cured, cause of their being there, &c. I was much struck with the frank and intelligent way in which they discussed these points, and came to the conclusion, since amply confirmed, that no greater cruelty or injustice could be inflicted than by placing this class of patients in an ordinary asylum, or in even possible contact with ordinary insane people. From Dr. Parrish and his books, which were placed at my disposal, I learnt that he never returns a patient as cured whose career he has not followed up for a considerable time after leaving his care, and hence his proportion of cures is lower than that of some other places.

1387. But have you stated what the proportion of cures was?—At Media, out of 235 patients admitted, Dr. Parrish returns 82 as cured. All his patients being voluntary, many leave before they are fit to go, deeming and calling themselves cured though they were not so, because he has no power to turn the key on them; if he had possessed this power, many cases would have been saved that were lost, and so decided is this opinion that a committee, to which I shall hereafter refer, were preparing to apply to the State Legislature for the requisite power this Session. He says many cases go out and get liquor in secret, some come home the worse for it, and if this is repeated they are expelled. Many such have been sots for years before they came to him; a considerable number become insane, and some die ultimately of general paralysis, and he regards the irresistible craving for drink as one of the evidences of brain disease coming on; but of these he believes, could he get them earlier and keep them longer, as large a proportion would be cured as in other forms of recent insanity, and that the maximum of *principiis obsta* is as true of this as of any other form of disease. He gives beer, wine, and spirits remedially, and stands by that treatment, in which he differs from some others; he has no trouble with his patients, except in the way of their getting at liquor. The class of patients, all male, is superior. He remarks that many of the unsuccessful cases are due to the existence of concurrent organic disease, mainly the result of habits of drink. My next visit was to Baltimore Institution, which has been open only a few months; for though it has been incorporated several years, yet, owing to the Secession War and the resulting dislocation of men and things, it has only just got to work. Dr. Gamble, a very intelligent southern gentleman, is by no means sanguine of the results, and when I saw the class of his patients, I am not surprised; many were old hardened sots, opium-eaters, and debauchees, who had tried first one and then the other place of cure, water springs, water cure, &c., but never really dropping the habit, and who flocked to a new chance; many had been 10, 15, and 20 years drinkers; such a class is hopeless. The laws of the State of Maryland confer power on the superintendent to detain those whom he deems fit subjects for it; he has seldom need to do so, for the knowledge of the power existing is usually enough; he nevertheless has had to do so. There is another reason: the place is just rising and the committee fear to raise a prejudice

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against it, but Dr. Gamble utterly distrusts the promises of a drinker to drop the habit until he has been tested a long time, and that short residences are useless except to overcome the immediate illness produced by the debauch. I saw Dr. Donaldson, a professor in the University, who being attached to the asylum of Maryland had had much to do with inebriates; in this asylum they have a ward expressly for drunkards, who come in by their own act, or are brought by their friends, stay eight or ten days, get over their drunk, and go out. They are often brought there to avoid the gaol, and as the sum charged is considerable, and brings a profit to the concern, the more they can take in, and the sooner they can turn them out, the better; this is a premium on drunkenness, and such a place may by no means be regarded as a reformatory institution. Dr. Donaldson is of opinion that nothing but the power of detention, and that for a period long enough to restore the tissues of the body, the development of which has been arrested or altered by the use of alcohol, will suffice; that the very craving for stimulus depends on the patient's depraved or disordered condition, and that while it lasts no promise of abstinence is worth a cent. I also saw Dr. Stuart, a very remarkable old gentleman, both for his intellectual powers and for his personal history; for nearly 45 years he has been the unpaid manager of the Marylands Hospital, and in contact with drunkenness in all its shapes; I desire to state his opinion in his own words.

1388. *Chairman.*] What is recorded in the Return you have handed in is only from the Inebriate Institution; there is one described as the Maryland Inebriate Asylum, Baltimore?—That is the one I am describing.

1389. *Mr. Birley.*] There are two institutions in Maryland?—That is so; but the one I am now referring to is not the one alluded to in that return. Dr. Stuart's opinion is, "I believe it to be a sheer waste of time, means, and energy to attempt the reformation of a drunkard, unless you have legal power to keep him from drink as long as may be requisite. How long that may be will vary with each case; it may be six or it may be twelve months, or more, but I should have little hope where twelve months did not suffice. During 40 years I do not think I can call to mind more than 40 reformations effected by moral, as distinguished from physical, means, and I think I can divide these into halves; one-half has been cured by the *vis medicatrix nature* working a change in a man's system, so that drink became distasteful and abhorrent to him; the other half gave up drink on religious or philosophical grounds, reason predominating over desire. In this State of Maryland we have the power to retain a man *non compos mentis* from drink for six months; but it is seldom done, because asylums for the insane are no places for the drunkards. I am of opinion that in inebriate reformatories there will be many and disheartening failures; many will rise and fall again, but if help be afforded soon enough and long enough, many an object will be able to rise and remain permanently erect." Then the next place I visited was the Inebriate Asylum situated on Ward's Island, in the East River, New York. This is quite on a different plan. It is situated on an island entirely devoted to State, charitable, or reformatory objects, and under the care of the town commissioners. All access to it is strictly guarded by them; no one

can pass to or from it without an order, and the house was constructed expressly for its present purpose. The patients are male and female, and divided into two classes, pay patients and committed patients. There are three grades of the first, paying, respectively, 10, 5, and 2½ dollars a week, the accommodation being proportionate; they are all admitted voluntarily or by the action of friends, and this last is often a device to withdraw them from the action of the law. The second class are those who are committed for being frequently drunk, incapable, or mischievously drunk, and who would otherwise be sent to gaol. These are committed for three, six, twelve, or even more months, according to the frequency of their appearance before the magistrate. There are also those who have been committed by the magistrates, at the instigation of relatives, whose persuasion or entreaty has failed to induce voluntary submission, and when the facts have been proved to the magistrates' satisfaction. These are few; because, as a rule, those parties will submit voluntarily, rather than be made subject to an inquiry. All voluntary cases can leave when they like, but not so the committed, who, whether they are there by direct police action, or, after inquiry, are subject to detention, if needs be. The whole of the work of the establishment is done by those committed direct by the magistrate, they are credited with wages, debited with food, lodging, &c., and the balance, if any, is theirs when they leave. The following is the result of Dr. Adams's experience; on the whole, they are not encouraging. The voluntary patients go out long before they ought to do so, because I have no power to keep them. The committed cases give a small per-centage of real cures, because they are all old offenders, and I have to oppose six or twelve months' restriction and abstinence to 10, 20, or even 30 years' habitual drinking. Yet, even then, this is a far better result than that of the gaols. We cure some, improve many, make them useful, industrious people while with us, and teach them how to earn a living when they leave us. The gaol merely makes bad worse. If I had the power to keep voluntary patients (many of whom are not old hands) as long as they needed, I could cure a great many; as it is they go back too soon to their temptations. There are, however, those whose craving for drink is constant and irrepresible; these should be looked upon as insane; they are so to all intents and purposes. The American women are less drunken than the men; women do not go to the bars to treat and be treated. I have now to give an account of my visit to Binghampton, which has obtained a wider reputation than any other, partly from its magnitude, partly from its failures, as well as its successes. Without entering into a very elaborate description of the place, I will say that its construction, position, and arrangements are of the best, though needlessly large sums have been lavished on its architecture. There were at the time of my visit 80 patients in it, all male, composed of every profession, and all, or nearly all, from the upper and best middle class. Many of them had been distinguished persons, and, although drunkards, I soon found that they had not left their brains behind. The superintendent, Dr. Dodge, is a man of very decided opinions, which are very different from those of his immediate predecessor, Dr. Day. All the patients here come voluntarily, and can go when they like,

like, except those who are sent in under section 4, cap. 266, which I put in, which gives the superintendent power to hold them *bon gré mal gré*.

1390. Mr. Downing.] Have you that Act with you?—I have. I shall be able to put that in. (*The same was handed in.*) No person is allowed to leave the premises alone till he has proved, by eight weeks' obedience to the rules, that he may be trusted. He then has leave to go attended for four weeks more, and if he is still obedient, he has leave to go alone. It happens, however, sometimes, that this leave is abused, and drink is got, and this has happened six or eight times in a month, sometimes not more than once or twice; when this is repeated, the patient is expelled. Fully 50 per cent. are cured.

1391. Chairman.] It is 75 per cent. in the Return?—That is the statement made to me; but, as you will see further on, I had reason to make certain deductions in order to be upon the right side. Fully 50 per cent. are cured, and no cure is registered as such unless the after history confirms the cure. Some have come back two, three, and four times, but it has usually been because they would go before they were in a fit state. Dr. Dodge reports that the cures would be more numerous and more permanent if there were power to keep a patient as long as was needful, and he hopes some day to get it. The cases that do best are the young ones, in which drink has not got so strong a hold, and of these 80 or 90 per cent. get well. He also repeats the opinion that those who relapse time after time are not proper subjects for a reformatory at all, but for permanent detention somewhere and somehow. The rules of the house are strict, but several patients told me that they looked on them as reasonable discipline, and that they scouted and disowned those who wilfully disobeyed them; that they were trusted honourably, and that it would be a disgrace and dishonour to violate that trust. This is the principle upon which Dr. Day worked Binghampton when he managed it, and on which he now manages Greenwood, near Boston. His opponents say he failed signally, while he maintains the contrary. Dr. Day is supported to a considerable degree by Mr. Lawrence, of the Washingtonian Home, near Boston; but all the other evidence is against him. Dr. Dodge, like all the other superintendents I have seen, but one, uses liquor remedially, but the disease once mastered it is dropped, and he deems total abstinence the only preservative against relapse; he also, like all the others, looks on the habitual abuse of drink as a disease in which reason and volition are destroyed, and that though induced by vicious indulgence it constitutes a disease. My next visit was to the Washingtonian Home at Boston, an establishment differing in many ways from the last; it is situated in a long busy street of a busy city, it is occupied principally by patients from the higher artisan and middle tradesmen class, though there are not wanting persons of higher grade, social and intellectual. The system is mainly one of trusting to the moral influence of the place. There are at this time 24 inmates; the superintendent, Mr. Lawrence, has been there nearly five years, was himself for many years a confirmed drunkard, and is an evidence of what can be done by such institutions; though no detention is used, not more than 3 per cent. have broken rules as to getting to

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drink while inmates, but many have relapsed when they have returned to the world and its usages. In no case has a cure been quoted that has not stood the test of time and subsequent temptation; he thinks that in a few more instances he should have effected a cure if he had had the power of the key; he would not refuse it if offered, though it would be seldom really used, but he would take no committed patient without such a power; many come in for a short time only and go out again, and then reappear either here or at some similar place. Mr. Lawrence lays more stress on moral than on any other influence, and does not estimate his real permanent cures at more than 30 per cent.; he there draws a distinction between those who go out nominally cured, and those whom he has been able to trace and keep his eye upon a long time. I visited the institution again on one evening, and met between 60 and 70 people, most of whom either were or had been inmates; some had their wives and children with them. After a short religious service there were several statements made of personal experience: one man stated that for 20 years he had never been sober more than five months together, that after being a patient in the Home he had by treatment been able to give up drink, and had not touched it for four years. Another, who is now an assistant in the Home, stated that he had ruined himself and family by drink, had given it up and recovered his position only to destroy it again and again, but that now for more than five years, after a long residence in an inebriate asylum, he had given it up entirely. Many other statements, more or less highly coloured, were made; but the burden of them was that cures, after long use of alcohol and frequent relapses, were rare; that cures are in proportion to the earliness of the treatment and its sufficient duration, backed by a resolution to resist temptation rarely found in old toppers. I went next to Greenwood, eight miles from Boston, which is a private establishment kept by Dr. Albert Day, who was formerly superintendent at the Washingtonian Home, which I have just described, and subsequently at Binghampton. Dr. Day has had more than 2,400 cases under his care: 900 while at Binghampton. In the various institutions his plan has been to use no restraint or discipline, except where actual mania exists; his patients are bound by parole only. He admits that this is very hard to work on a large scale, but that when the numbers are few, and individual influence over each can be brought to bear, that it does well. He admits the great controversy and debatable points, but maintains his view so far as all voluntary patients are concerned. He would not, however, object to be furnished with power to detain those who have come in reluctantly, and more by the solicitation of friends than by their own will. He is very decided in his reprobation of placing inebriates in lunatic asylums, and dwells strongly on selecting quiet healthy localities for inebriate institutions. He says he has been 15 years engaged in this practice; that at times he has been tempted to despair of his work, but that, on the whole, the result has been satisfactory, and the number of permanent cures large. Dr. Day does not appear to be a favourite with the profession to which he belongs, and there is a considerable jealousy of him; he is a very sanguine man, and though his results have been called in question, he appears to have good grounds for his

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his statements. I mention that, because it to a certain extent accounts for the way in which Dr. Day's statements have been picked to pieces. My last visit was to an institution at Shore Sound, Fort Hamilton, Long Island, belonging to King's County, and under the care of the Rev. Mr. Willet, an Englishman, of the Methodist connection. The patients, male, and female, are chiefly those who have been committed to the penitentiary for repeated drunkenness or for crimes committed when drunk, and have been sent to this place for six months or longer; or they are selected by Mr. Willet from those committed, whom he thinks will profit most by the treatment. There are also boarders or voluntary patients. Over all there has been power of detention by charter. He states the cures to which he can vouch by subsequent inquiry to be at least 30 per cent.; that many more would be cured on a longer probation, or if they were sent earlier; that many never come till they have been drinking 20 or more years, and that these cases are hopeless. The committed patients more than pay their cost; there is a profit on their labour; and so well does it work, that the State has purchased an extensive tract of land for a new asylum, on a large scale, which is in course of erection. The boarders do not differ from the ordinary class of patients; but that, having the power of the key he is able to keep them at home when he thinks it dangerous for them to go into temptation. He is very careful never to place a case among the cures till he has followed it up after the patient has again entered into society; and he puts the cures at one-third or perhaps 40 per cent. In addition to those, there are many who, not having given up drink, take it in moderation. He also has patients who go to their avocation in the morning and come back at night; he places no reliance on a drunkard's promise till he has fully tested him, and would not work an institution without the power of detention. The last evidence I shall quote is that of Dr. Willard Parker, one of the most eminent physicians in New York. He regards irresistible drunkenness as a disease produced by bad habits, or very commonly inherited from free living or intemperate parents, or as the outcome of cerebral disease. He would treat it as such, and expect at least as good a result as that obtained by early scientific treatment of other cases of insanity. He regards a power of detention as indispensable, so as to continue the treatment until the constitution is changed, and fresh blood free from alcoholic taint is made. This summary, which I have the honour to lay before the Committee, I hope to prove by the *vivâ voce* testimony of Dr. Parrish and Dr. Dodge; I trust the Committee will use it as a means for cross-examining and testing them. It is very probable that I may have, in some instances, failed to interpret their views, or even to state the facts with perfect accuracy, but I have done so as far as was possible in condensing so large a mass of evidence as was presented to me.

1392. *Chairman.*] Have you any other documents that you wish to lay before the Committee?—Yes; I have here the last Report for 1870-71 of the New York State Inebriate Asylum at Binghamton, and upon that I wish to call your attention to chapter 266 of the Laws of the State of New York; it was passed 31st March 1865, and is entitled "An Act for the Better Regulation and Discipline of the New

York State Inebriate Asylum," and which provides as follows: "Any justice of the supreme court, or the county judge of the county in which any inebriate may reside, shall have power to commit such inebriate to the New York State Inebriate Asylum, upon the production and filing of an affidavit or affidavits by two respectable practising physicians, and two respectable citizens freeholders of such county, to the effect that such inebriate is lost to self-control, unable from such inebriation to attend to business, or is thereby dangerous to remain at large; but such commitment shall be only until the examination now provided by law shall have been held, and in no case for a longer period than one year."

1393. *Mr. Downing.*] It would appear from that, that a magistrate holding an ordinary commission of the peace could not do it?—No, this is a restriction upon anything like immediate action; this is the charter of the bye-laws of the institution at large that is quoted in the report; I have also here a report of the Washingtonian Home at Boston, but I particularly wish to call the attention of the Committee to a report of the Commissioners on Inebriate Asylums, appointed by the State of Massachusetts; it is a report made in the month of January 1871; this asylum is incorporated by an Act, and amongst the provisions there are these two, section 4 and section 5, to which I wish to draw the attention of the Committee: "Any person addicted to the excessive use of intoxicating liquors, opium, or other noxious drug, or stimulants of any kind, may, upon his own written request, be admitted as a patient into said asylum, upon the written order of any three trustees, for a period not less than three months, and not more than one year, the length of time to be specified in the applicant's request, and in the trustees' order for admission; every person so admitted, shall, during the period for which he has been admitted into said asylum, be liable to be retained therein, and shall be there subject to such medical and curative treatment, and to such proper regulations, discipline, and personal restraint, conducive to his restoration to health, and to his cure from habits of intemperance, as the bye-laws of said institution may provide." Section 5 is, "Any patient in said asylum may at any time be discharged therefrom by the written order of any three of the trustees; application may be made at any time by or on behalf of any patient in said asylum, for a writ of *habeas corpus*, to any magistrate by law authorised to issue the same; said writ may be returnable before any justice of the supreme judicial court, or superior court, or before any judge of probate, who, upon hearing the case, may in his discretion forthwith discharge any such patient if, in his judgment, his further detention is inexpedient, or not likely to be beneficial to him, or necessary for the protection of his family." This is rather too long to read through, but it contains some very valuable facts. (*The same was handed in.*) This is a report of the King's County Inebriate Home for the year 1869, but I shall be able when these American gentlemen come to put in much later returns, and, therefore, I will not hand that in now, but I now wish particularly to call the attention of the Committee to the Act to provide for the interdiction and cure of habitual drunkards, passed in the Province of Quebec, and assented to upon the 1st of February 1870. It first states that: "Whereas,

"Whereas, the drunkenness of certain heads of families, and other persons of full age, and of other persons fully enjoying civil rights in this province, has heretofore on many occasions been the cause of ruin to their families, and of grievous injury, as well to their relations as to their creditors; and whereas, in the interests of society it is necessary for the future to remedy such evils," and so on; and then it states, "On petition on oath presented to any one of the judges of the superior court for Lower Canada, who alone shall have power to act, by any relations whether of blood or by affinity, or, in default of relations, by any friend of any habitual drunkard, setting forth that by reason of such drunkenness such habitual drunkard either squanders his property, or mismanages his property, or places his family in trouble or distress, or transacts his business prejudicially to the interests of his family, his friends or his creditors, or that he uses intoxicating liquors to such an extent that he incurs the danger of ruining his health and shortening his life thereby, such judge, for any of such reasons established before him to his satisfaction, may pronounce the interdiction of such habitual drunkard, and appoint a curator to him to manage his affairs, and control his person, as in the case of one interdicted for insanity." There is a stringency about that which is very remarkable; the mode of proceeding is, that by summoning before a judge, a family council, as in the case of tutorship under the ordinary Insanity Act, under the provisions of the civil code of the province, and each person composing the said family council shall take an oath to the truth of the fact of the person, whose interdiction is proposed, being an habitual drunkard, and as to the necessity of such interdiction, but the person making such demand in interdiction shall not form part of that council; so that outside of the council you have somebody making a demand. Then the Act says, "The interdiction of any person interdicted as an habitual drunkard, shall have the same effects as those conferred by the law in force in this province in the case of the interdiction of any person for insanity; in proceeding for the interdiction of any person for habitual drunkenness, it shall not be necessary that the proof of any of the facts to be established for such purpose before the judge be taken in writing, nor that the person whom it is sought to interdict be interrogated before the judge, but it shall be sufficient that the judge be satisfied with the oral evidence given before him by the relations, whether by blood or by affinity, or friends composing the family council assembled for the purpose of such interdiction. The petition praying for the interdiction of any habitual drunkard shall be personally served upon him at a time when he shall be sober, or if at the time of the said service, the person whose interdiction is demanded is not sober, the said petition shall be served upon a reasonable person of his family, at least eight days before that fixed for the appearance before the judge, for the purpose of the interdiction. It shall be lawful for the person whose interdiction shall be thus demanded, to produce before the judge witnesses to contradict the allegations of the petition, and the evidence of any or all of the members of the family council, and each party may retain an advocate and counsel to conduct the proceedings on his behalf, and to examine the witnesses before the judge, who may require from the person instituting the

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demand in interdiction further evidence of the facts alleged in the said petition, in addition to that of the family council; but as hereinbefore set forth, all evidence given before the judge shall be *vivâ voce*, or taken in writing, as the judge shall deem proper." Then it says that the decision of the judge shall be final, and that the demand for interdiction, if registered, shall not be renewed under three calendar months, and that after one year's constant temperance the interdiction may be removed; the wife or the son, being of full age, may be appointed curator: and then follows, enviously in such an Act, a penalty for sale or gift of intoxicating liquors to any person so interdicted: that any person who sells, or gives or procures for any person interdicted under this Act intoxicating liquors shall incur for each offence a penalty of 40 dollars. And then it goes on, "Any person who, according to the common report of the neighbourhood, has the reputation of being a drunkard shall be deemed to be an habitual drunkard according to the intent and meaning of this Act," and consequently persons giving or selling him liquors would be liable to a penalty of 40 dollars. All proceedings under the Act are to be summary, and every person interdicted under the Act shall be inscribed upon the roll of interdicted persons as in other cases of interdiction. Then it says, "The Lieutenant-Governor may, if he deem proper, grant a license to keep an asylum for the use of drunkards to the person or persons, or to the association of persons who may appear to him to deserve the same;" and the curator of any person interdicted under this Act may place the person interdicted in such asylum, and remove him therefrom. Then follows in the schedule the form of petition for interdiction in the usual way. I applied to the attorney general of the province of Quebec to know how this Act had worked there, and he said it was hardly ever put in force, because giving a man notice that they intended to summon him before the court for interdiction virtually brought him to submit to treatment, and had great influence in altering his habits. He said that just before I had seen him he had a case brought before him in which a person proposed to be interdicted proved, by evidence which it was impossible for him to resist, that he did not come fairly under the definition of an habitual drunkard, and he therefore dismissed him, and he went home to his hotel and celebrated his victory by a debauch; he was taken up that night by the police and sentenced to three weeks imprisonment as being drunk and incapable. In the State of Ohio there is another remarkably stringent Act, but that is for the purpose of preventing the sale of intoxicating liquors by any person knowingly, to persons who are known to be liable to intoxication, and that gives a right of action for injuries against the person selling it if the party became intoxicated and gets injured during the period of intoxication; they are fined, and the fines are carried to the maintenance of establishments for the reformation of drunkards; that is the purpose to which the fines are put.

1394. *Chairman.*] I think, from the interesting account you have given us, you find that by far the largest proportion, that is to say, 94 per cent. of the cases of admissions were voluntary admissions?—That is so.

1395. And that two or three per cent. were admissions through the agency of friends, and that

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that 4 per cent. were admissions by committals by the justices?—That is so.

1396. I think you explained also that the fact of there being a law empowering their detention, produced a greater number of voluntary eases than would have occurred naturally if there was no such law of detention to prevent the disgrace of detention?—That is so.

1397. Do all the voluntary cases support themselves?—All, either by themselves or by means of their friends.

1398. Are you able to tell the Committee to what extent, there being only 4 per cent. of committals, the states, in any of the cases you have examined, contribute to the support of those asylums?—Binghampton, which is a very large and a very costly building, was built by a body of shareholders, but the State allocate about 40,000 dollars annually for the keeping up of the establishment and the current expenses of the place.

1399. Mr. *Downing*.] Is that as a speculation?—No, it was a philanthropic establishment, but there was a certain amount of speculation in it; it was got up by an Englishman, who thought that he should establish a very profitable asylum there if he could once get it built; he failed in that respect, and ultimately the establishment was taken up by the State as their own property.

1400. *Chairman*.] I think you stated that all but two were either connected or supported by the State, or that they receive some support from the State?—They receive subventions from the State.

1401. Are you able to state, in any other cases, what is the proportion of support which the State gives to those institutions?—No, I cannot. I know that in Maryland, at Baltimore, 5,000 dollars only was the amount contributed by the State.

1402. Was that to the building, or an annual gift?—That was annually, for the current expenses of the establishment; but the building itself was hired by the proceeds of moneys subscribed by benevolent individuals some years ago.

1403. Then, if I understand you rightly, the amount contributed by the State in these cases is insignificant, as compared with the amount derived from the board and fees of patients?—Quite insignificant.

1404. I think, taking the whole result of your examination, you state that 34 per cent. of the patients are stated to have been cured, 5 per cent. to have received benefit, and that from 6 to 7 per cent. are regarded as incurable?—Yes.

1405. I think you have given us no case in which there are more than 50 per cent. of cured cases reported?—No.

1406. One of those cases was, I think, in Chicago, where there is no detention allowed?—That is so.

1407. Then, does not it appear by that experience, that as large a per-centage of cures occur where there is no law of detention, as where there is a law of detention?—I think not, and for this reason: if you take the per-centage from the unchecked statements, you would have a much larger per-centage of cures; but I am aware that at Chicago they will send a ease out at the end of three weeks or a month which they call cured; but that is only of the immediate attack, and I have been compelled to make a deduction from that amount, in consequence of

the collateral information I received from inquiries in Chicago itself. As I stated, the papers were burnt, and the return which I have is a *viva voce* return only, taken down at the moment from the manager. There is universal testimony from every manager of an asylum that the cures would be very much larger, if it was not that the voluntary patients are able to discharge themselves when they think they have got well.

1408. Are you aware whether there are any statistics by which you could arrive at the proportion of cures amongst the committed cases?—No; the superintendent of Ward's Island did not furnish me with any return; that and Long Shore Sound are the only two establishments in which committed cases are received to any extent, and Mr. Willet stated to me that he thought that 30 per cent. was about the outside number of the cures of committed cases, and founded his belief of that upon the fact that they came to him after a long period of habitual intoxication.

1409. But in the case of Washington, which is like Chicago, chiefly a voluntary asylum, I think the cures there were stated as 50 per cent.?—Yes, that is of the permanent cures; the cures that were followed for some considerable time after the patients went back into general society.

1410. So that so far as the statistics appeared, supposing that the committals cured were 30 per cent., so far as we have any evidence, and that the voluntary cures are about 30 per cent. also, they are about the same; but would not that be due to the fact that the voluntary patients are a better class than the committed patients?—No doubt they are a vastly better class.

1411. So that if there were only 30 per cent. of cures in both cases it would indicate that the committed patients are cured in a larger proportion, because you would expect the voluntary patients to be cured more easily?—And also with regard to the committed cases, you keep them for 12 months, whereas in other cases they go out after perhaps a fortnight or three weeks' detention.

1412. I was struck with a remark that one of the doctors made, namely, that the cases of recurring drinking did not occur when sufficient labour was applied to the persons detained, either voluntarily or compulsorily; your expression was that the temptation came in the hour of idleness and not of labour; do they give labour to voluntary patients also?—No, they do not give labour, there is amusement of every sort, libraries and billiard rooms, bowling alleys, concerts, and plays, and all those things for amusement; but in the shape of labour, in the voluntary establishments, there is none.

1413. Mr. *M. Henry*.] Did not your remark then refer to the class of people who went out into the town to pursue their labour?—It did; it referred to those who went out in the morning, and occupied themselves as book-keepers and compositors, or whatever their trade might be, coming back when the day's work was over; they live as it might be in the asylum.

1414. I think that was your illustration: that nearness to the town had its advantages as well as its disadvantages?—Yes, that was the argument used both in Chicago and at Boston for having those establishments in streets, perhaps next door to lager beer saloons. I can say that at Boston the institution was next door to a beer house; although, according to the theory of the Prohibitory Beer Bill, I believe, there is no such thing as a beer-house in all Boston.

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1415. *Chairman.*] Then the advantage of occupation is found sufficient to overcome the disadvantages of nearness to the town?—Very much; and if not to overcome it, to compensate for it to a considerable extent.

1416. *Mr. Akroyd.*] With reference to the desirability of detention I think you referred to the manager at Media, who lays great stress upon the necessity of the power of restraint; Dr. Parrish, I think?—Yes.

1417. And the same opinion was also given by Mr. Willet?—By Mr. Willet, at Long Shore Sound.

1418. From your observation, I presume that is the opinion at which you have arrived, that you must have the power of detention?—I discussed the question of the power of detention with a number of the inmates, and there was very great difference of opinion amongst them; some said that it was degrading not to trust them as gentleman, and others admitted that there were periods of paroxysmal desire to return to liquor, in which they begged that the key might be turned upon them in their rooms, that they might not be allowed to go out, just as one knows that in cases of recurrent insanity a patient has been known to ask to be placed under restraint on account of his fear of a recurrence of his malady.

1419. With regard to the industrial occupation of committed patients, I think you stated that at Fort Hamilton, on Long Island, the committed patients more than paid their own expense?—They more than pay their own expense, and at Ward's Island also. Not only is the work at Ward's Island for committed patients done by the committed patients, but the whole of the work for the boarders themselves is done by the committed patients, gardening and everything else.

1420. So that, as a rule, committed patients to those inebriate asylums are required to earn their own living?—It is unquestionably the case in all instances of committed patients, that they more than pay the cost of their detention.

1421. I may take it that your evidence has chiefly gone upon the legislation in New York with regard to these inebriate asylums, but your attention has been called to the question of dealing in this country with habitual criminals in a different way from that in which you deal with ordinary criminals; in your judgment, would the same sort of dealing be desirable with habitual drunkards as well as with the habitual criminals?—I think if you could follow up habitual drunkards as you have followed up habitual criminals, and make the harbouring of them in public-houses and places of that sort an offence just the same as with habitual criminals, you would greatly diminish the number of those who are continually re-appearing before the magistrates.

1422. Of course you would make a difference in the treatment of such cases of habitual drunkenness as proceed from cerebral disease?—The condition of an habitual drunkard who is clearly manifesting an entire loss of will and power, very rapidly degenerates into a case of brain disease, and he becomes a fit subject for detention in an asylum.

1423. But would you subject such cases to ordinary prison treatment?—I think it is cruel to submit to prison treatment a person who has committed an offence from which he had no power of restraining himself.

1424. *Mr. Miller.*] There is a considerable

number of patients in America whom you report as having been cured by that treatment; have you no idea about the length of time that they were under detention before that cure was effected?—The average length of the cure throughout is about 90 days; you might say three months.

1425. *Mr. Downing.*] Do I understand you to say, if a cure was likely to be effected, it would be effected within a period of three months?—I think, if a cure is likely to be effected, it would certainly be effected within a period of 12 months.

1426. But you said three months was the ordinary time?—Twelve months is about the average time taken for a permanent cure, but I should not in the slightest degree despair of a case which was not cured at the end of three months, nor even six months.

1427. *Mr. Read.*] Was your attention at all turned to the laws in force against intemperance in America?—Yes.

1428. Are they similar to what we have here?—They are vastly more stringent.

1429. Has that greater stringency had the effect of diminishing drunkenness?—If I may judge from the number of drunkards, I am afraid not.

1430. Do the drunkards in America indulge in beer or spirits, as a rule?—In order to answer that question, I will repeat a statement made to me by a law officer in America, who said, "Take care what you are about; and whatever you do, in shutting up your public-houses, take care you do not drive your people from beer to spirits. If we had no crime resulting from drunkenness to deal with, except that which comes out of beer drunkenness, we should have comparatively very little to do." At the same time, the Committee must bear in mind that the beer in that country is a very different beer from our own; it is, for the most part, what is known as lager beer, which is of a very much less intoxicating description, and that is one reason; but there is no question whatsoever that it is spirit drinking, and the drinking bad spirit in America, which produces such hopeless forms of drunkenness.

1431. Do you think that there is any alteration we could make in our law with regard to the habitual toppers rather than habitual drunkards, as we term them here?—I am very strongly of opinion that you might do much good by copying what is done in certain parts of Yorkshire, in Sheffield for example, namely, that of requiring sureties from the friends of parties who are frequently tipping, and making it their interest to keep watch upon them, and prevent them from tipping; it is a question which I am not prepared to answer, but which may be answered on Friday, whether longer periods of imprisonment, and that with labour, which may be made remunerative, may not be applicable to the earlier cases of drunkenness instead of the short periods that are now applied.

1432. What would you propose to do in the case of a publican who persists in supplying a drunken man with drink?—I should very much desire to apply to him the clause which I have read in the Canadian Act.

1433. *Mr. Downing.*] You approve of that Act?—I do, very much.

1434. *Mr. Read.*] With regard to habitual drunkards, do they ever become in that fearful state all at once from any disease, or is it more generally,

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generally, or almost universally the case, that it is produced by constant drinking?—When it occurs, as it sometimes does, suddenly and rapidly, it is to be taken as a marked symptom of a rapidly developing disease, which will in a comparatively short time prove fatal, or end in permanent insanity; it is vastly more frequently the result of a slowly developed habit, commencing often from circumstances of distress, physical suffering, exhaustion, and various other causes of that kind, and also no doubt from ill-regulated habits, and bad company into which persons have fallen under the name of joviality and society.

1435. Mr. Miller.] I gather from what you said, with reference to 90 days being the time for a cure, that you would not agree with one of the witnesses, who stated in this room that in his opinion it would take two years?—I would not agree to that.

1436. Mr. Birley.] In your visit to the United States had you the opportunity of closely examining the internal administration of the asylums?—Yes; I slept two nights, and spent the greater part of two days, in one of the asylums; I boarded and lodged there, and lived with the patients, breakfasting and passing my time with them.

1437. Were you satisfied with the general order and system which prevailed?—It was perfect; the thing which struck me very forcibly was the exceeding luxury of the better class of patients, but then they pay 40 dollars a week, that is to say 10*l*.

1438. Were they pretty well employed?—Those gentlemen occupied themselves by taking long walks in the country and fishing in the summer time, and by bowls and billiards, and reading; and there is a club in the asylum meeting once a week, and they print a periodical which circulates amongst themselves; there is that sort of occupation, but still, with all that, there is a lack of occupation.

1439. But when they go into the country, I suppose they are under an honourable engagement not to take liquor?—They are upon parole not to take liquor.

1440. You have told the Committee that in some of those asylums beer and spirits are used remedially?—Yes.

1441. What is meant by that; is the object of that that they should not be suddenly deprived of those stimulants?—That is a controverted point, whether you may cut off a man's liquor instantaneously without doing him any harm, or whether it is necessary to taper off, as the American expression is; there is a great difference of opinion upon that point in the profession; some maintain, as Dr. Forbes Winslow maintained here the other day, that there is not the slightest danger whatsoever in cutting a man off altogether from the liquor. At the Washingtonian House, at Boston, they reject liquor *in toto*, but they occasionally supply a strong preparation of Cayenne pepper, as a stimulant, to be used in the place of it. Dr. Parrish, in Media, on the contrary, used wine, beer, or spirit, as the case might be, remedially. If he finds a man flagging to a point which he thinks is dangerous, he does not hesitate to give him one or other of them for a time; but there is one universal testimony to the necessity of total abstinence afterwards, if the party wishes to retain his self-command.

1442. I remember asking that question myself; what is your opinion upon that point?—My own

opinion is that there is not the slightest danger in cutting a man's liquor off altogether and at once, but you must supply that either by small doses of opium or some other source of medicinal stimulus, rather than dietetic stimulus.

1443. Chairman.] That is only for a short time?—Only for a short time, say, four or five days, or a week.

1444. Colonel Brise.] With reference to contributions from the revenue of the State to those inebriate establishments, I think you stated that as much as 40,000 dollars were contributed; did I understand you to say that that was annually, or only at the commencement for building?—It is a vote made each year, but not necessarily always the same sum; it depends upon the requirements of the institution; it is not a fixed sum.

1445. This is out of the revenue of the country, to which everybody has to contribute?—It is made out of the State revenue; for instance, New York will vote its sum for the New York Asylum, and Maryland will vote its sum for the Maryland Asylum.

1446. I think you also stated that it was a very insignificant sum compared to the annual expenditure of those institutions; do you consider that 40,000 dollars is a very insignificant sum; it seems to me to be a very handsome sum to be contributed by the State?—I mean that the sums paid by the inmates at these voluntary asylums are exactly in proportion to the accommodation which they receive; some of them only pay about three dollars a week, which is not sufficient to board and lodge a person in America, except under the most common circumstances.

1447. Chairman.] Was the 40,000 dollars an annual contribution?—It may be annual if the State chooses to contribute it each year, but supposing that 40,000 dollars was wanted one year for furnishing, they might say next year that 30,000 dollars or 20,000 dollars might suffice.

1448. Colonel Brise.] Do you consider that your evidence this morning has been favourable as regards the establishment of such inebriate asylums in this country?—I think the evidence is thoroughly satisfactory if you will take it that one-third of their cases treated are cured, whereas none that we know anything of are cured under the present circumstances; that they invariably go from bad to worse, and when you consider that a very large proportion of the cases there sent in have been tipplers and drunkards for a very long period.

1449. Still as I understand you to say from the evidence of the medical gentlemen, the answer they gave you in almost every case was that they were not very sanguine, or that the experience they had had was anything but encouraging?—I stated that particularly with regard to the Baltimore Asylum in Maryland, that the superintendent there, who had only been at work for five months, was quite disheartened about his work; I went on to say I was not surprised at it when I saw the extremely drink-hardened character of the individuals with whom he had to deal.

1450. You stated that in one particular establishment at Baltimore, the evidence was, that one-half of the inmates were recovered by medicinal efforts, and the other half by moral and religious efforts?—Not so. The personal experience of Dr. Stuart was, that in 40 years he had not known more than 40 cases of spontaneous cure, half of which were from moral and half from physical causes.

1451. Would

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1451. Would you, in the event of any establishments being made in this country by the Legislature, propose any method by which you would have any influence over the religious and moral influence of the inmates?—Certainly. I hold that to be one of the most important adjuncts of those asylums; in all of them that I visited, I believe there were prayers both morning and evening; in Binghampton, there is a chapel, and a chaplain who reads the service according to the Presbyterian form of worship, I think it is; the choir is conducted, and the organ is played by patients who may happen to be in the house at the time. Religious services form part of the management of all those establishments, whether they are upon a small scale like that at Media, or whether they are upon a large scale like that at Binghampton.

1452. Would you have then here under the Establishment, or under what system?—I take it that if they were private establishments, they would naturally be according to the views of the person who managed those establishments, and if it were a State establishment, I presume it would be upon the same plan as you have the chaplains of gaols and the chaplains of asylums.

1453. I was rather struck by the evidence upon this particular point, that the inmates of those establishments seemed to be so very honourable, and that so very little restraint was put over them, and that it was left to their honour in so many cases; now, the evidence we have had before this Committee from medical men in this country is, that men who are addicted to those habits generally are so very untruthful, and not only untruthful, but untrustworthy; does your English experience upon that point differ from the experience you have given us from America?—In giving you my opinion on that point, I entirely agree with the evidence which was previously given in this room, and I have little or no belief in the value of the honourable promise of a drunkard till he arrives at the period when he is at least half way on through his cure.

1454. Major Walker.] With regard to the Canadian Act which you have quoted to us, is that an Act of the Lower Province of Canada, or is it an Act of the whole Legislature of the whole Dominion?—It is an Act of the Lower Province of Canada only; it does not extend to Canada generally.

1455. You are not aware whether there is an Act in the Upper Province or Nova Scotia of that description?—Yes; there is an Act called Dunkin's Act, which has clauses in it which give the power of prohibiting the sale of liquor throughout the whole of Canada, not only in part, but in totality; that Act enables the majority, I think it is three quarters of the inhabitants, to interdict the sale of liquor in any townships, and in addition to that, in that Act

there also certain clauses which go to the effect of prohibiting the sale of liquor to drunkards, or to persons who are known to be so in the neighbourhood; but there is no Act specifically interdicting habitual drunkenness in Upper Canada as there is in Lower Canada.

1456. The Act that you have just referred to is one recently passed, is it not?—I have not got it here, but it shall be here when we next meet, as it is a very important Act. It has not been put in force, I am told, because it is so stringent that they cannot work it.

1457. Was your stay in the Lower Province of Canada long enough to judge whether the stringent Act existing there had any effect in checking drunkenness, as compared to this country?—The Catholic clergymen with whom I came in contact, the bishop of the diocese, and several other of the Catholic clergy engaged in various missionary and other occupations, spoke of this Act as working upon private families of the middle and better classes in an indirect manner in the best possible way, and they feel that that Act is a restraint which is of infinite service.

1458. Chairman.] With regard to the cases in those asylums, of persons committed by the justices of the peace, have the patients the same liberty of going out of the asylum as is accorded to the voluntary patients?—No, they may have leave given to them if the superintendent chooses to give the leave, but if he says no, then they cannot go out, and the key is turned.

1459. Then the only power which the superintendent has over voluntary patients is the refusal to allow them to remain in the asylum?—Yes.

1460. I presume you are quite aware that one of the first symptoms of a confirmed inebriate is his utter loss of truthfulness?—Yes.

1461. But even that is not found to be sufficient to prevent the chances of cure by his honour being trusted?—It is sufficient to diminish the chances of cure, but it is not found sufficient to prevent it.

1462. Chairman.] I think the Committee would like to express to you their sense of the value of the evidence you have given them, and of the trouble you have taken to go to America to get it.

1463. Mr. Downing.] Take the case of a patient in one of those asylums who is there for six, nine, or 12 months, and who is not cured, do you not think that the fact of an habitual drunkard being removed from his family for that time, is a great boon and a great blessing to that family?—Yes, no doubt.

1464. Although he may not be effectually cured?—No doubt it is removing him from the power of doing mischief, although he himself may be doing no good.

Friday, 19th April 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Mr. Birley.
Colonel Brise.
Mr. Donald Dalrymple.
Mr. Downing.
Mr. W. H. Gladstone.

Mr. Mitchell Henry.
Mr. Miller.
Mr. Clare Read.
Mr. Henry Samuelson.
Major Walker.

DONALD DALRYMPLE, ESQ., IN THE CHAIR.

Mr. JAMES EDWARD DAVIS, called in; and Examined.

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1465. *Chairman.*] I BELIEVE you are Stipendiary Magistrate of Sheffield?—Police Magistrate, if there is any distinction.

1466. How long have you been so?—Not quite two years, and before that I was stipendiary magistrate at Stoke-upon-Trent for six years.

1467. Your attention has necessarily been drawn to the subject of drunkards generally, including that of habitual drunkards?—Yes, necessarily so.

1468. Has your observation led you to consider the law of drunkenness generally as defective?—Very much so.

1469. Will you have the kindness to state in what way you come to that conclusion?—I may state that for all practical purposes the law of drunkenness is administered under, either statutes of James 1st, or under statutes of the present reign. The old statutes, the 4th and the 21st of James I. impose the well-known penalty of five shillings for the offence of drunkenness simply; those statutes are exceedingly difficult to be enforced for most practical purposes. The two statutes combined impose a penalty and direct that it shall be levied by distress, and in the event of its not being paid in a week, then imprisonment in the stocks; but according to the views taken by the text writers, including, I think, Mr. Oke and Mr. Stone, and Mr. Saunders, who guide the magistrates generally in the country, the subsequent statutes, including the Small Penalties Act, do not enable magistrates to enforce the payment of the fine of five shillings directly by imprisonment, in default of payment. The consequence is, that in the case of a great proportion of those persons who are charged with the offence, the magistrates go through the form of imposing a fine without having any power of enforcing payment; that applies to a large class of persons wandering through the country with no settled home, who go away from the Court after having been directed to pay the penalty; it is meretricious words. These persons go away and are not heard of again.

1470. *Mr. Downing.*] There are two statutes, I believe, of James I?—Yes; the first gave power to the judges at the assizes and quarter sessions, the mayors of boroughs, and so on; the second gave power to justices in petty session.

The two statutes have to be taken together. They provide for second offences by calling upon the parties for surties in a fixed sum; but that is practically inoperative, for this reason, that the justices have no power to inquire from their clerk, or to act upon their own knowledge of the fact of a first conviction having taken place. The form must be gone through of drawing up the first conviction, returning it to the quarter sessions, then obtaining a certified copy, and that being brought back to the justices, they can then take cognisance of the fact of the first conviction, for the purpose of imposing an additional or a substituted punishment. The reason of that is, that magistrates courts do not record their proceedings; they are not what lawyers term courts of record, and they are not permitted to take notice of their own acts. I am not applying too strong a term when I say that that is absurd. I keep my own note book. I note facts in it, and I recollect the facts independently. At all events, I have my note book to refer to, with headed columns, describing the person, the offence, and the conviction, perhaps a fortnight before; the clerk and the police have minutes of the fact, and there is not the slightest doubt about it, but I dare not take notice of my own or their knowledge of the fact. The matter was before the Court of Queen's Bench a few years ago, and it was formally decided that the magistrates must have the official record of the previous conviction. The consequence is, that when a person is brought in by a police officer, although the justices know well that he is an old offender, they cannot deal in the way of any substituted punishment for that second offence. So much for the defects of the original statutes of James I. Then the other statutes under which the magistrates generally take cognisance of these offences are two. There is a clause in the Police of Towns Act, 10 & 11 Vict. c. 89, which at first was only applicable where there was a special Act incorporating certain provisions of the Police of Towns Act; but by subsequent legislation, that part of the Act, including the provision in question relating to drunkards, was extended to all bodies exercising the powers of Local Government Acts; but that provision is, I think, practically merged in a statute commonly called "The Refreshment Houses Act," 23 Vict. c. 27, which provides in very nearly the same words

words for the same offence, and that offence is being drunk and riotous, or indecent in a street or public thoroughfare. But the Act does not provide for numerous cases that are brought before me. Although the magistrates very properly, and I believe the superior courts also, give a latitude to the term "riotous," not confining it strictly to a riot, yet still there must be some misconduct tending to disturb the peace or quiet of a neighbourhood, what is generally termed "a row." But there are a great number of offences that fall short of that, that require to be dealt with. Persons are found drunk in the street; they have been robbed perhaps. Now the fact of a man getting drunk and allowing himself to be robbed is a very serious offence against society, encouraging thieves. There is no mode of dealing with such a person, except as a simple drunkard under the old statute of James. There are various other offences short of rioting; lounging about the streets; refusing to go away when ordered by the police; brawling in a neighbour's house, trespassing or sleeping on private property; a number of offences of that class, which the statute relating to drunkards and riotous persons does not meet.

1471. *Chairman.*] Is it not the fact that, whilst for simple drunkenness there is a fine of five shillings, drunkenness, *plus* riotous and indecent conduct may be subject to a fine of only one shilling?—There is that odd circumstance, that apparent anomaly, that for the additional offence there may be a less penalty; the penalty of James is a fixed one, five shillings, neither more nor less; the other is a fine not exceeding 40 s., or seven days' imprisonment.

1472. That leaves it to the option of the magistrate to inflict only a nominal fine of a shilling?—Clearly.

1473. Then in your view, the law for simple drunkenness upon that point is defective, for the reason that you have given?—Yes, upon those statutes. I do not know whether I should mention that I have taken a somewhat wider view than most magistrates, and have adopted another remedy for habitual drunkards, calling upon them for sureties.

1474. At what point do you regard simple drunkenness as having arrived at habitual drunkenness; so that you put your principle of sureties into action?—When there are more than two previous offences of a kindred character.

1475. Is there not some difficulty with regard to the power of enforcing sureties for good behaviour?—There is very great difficulty in dealing with cases in that way, and there is great difficulty in enforcing the law.

1476. How do you proceed with regard to a surety? Suppose a person has been brought before you three or four times drunk, and convicted for simple drunkenness or compound drunkenness?—I should say to him, "Have you anything to say why you should not be called upon to find sureties for good behaviour?" I should then fix the amount; in an ordinary case, probably one surety in five pounds.

1477. Under what Act do you proceed?—Not so much upon any Act, as upon what I believe to be the powers of justices under their commission. The magistrates generally act with great caution. The text writers and the Superior Courts say that they should be exceedingly cautious in exercising their power with regard to sureties. Generally it is confined to threats and fighting. No doubt threats are within the
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Statute Law, but good behaviour is also. It is beyond all doubt that there is an additional power, quite apart from the case of persons who are in fear from the acts or the language of another, to call upon persons to find sureties for good behaviour. There was a case before the Court of Queen's Bench in Lord Campbell's time, nearly 20 years ago, in which the matter was very much discussed as to the extent of the power, and it was held to apply to a case of private libel; a man writing on the foot pavement some scurrilous language annoying some person in that way more than once. The question was whether there was any power to call upon a man for sureties, for an offence of that kind. The matter was carefully considered; the judges took time to consider, and they held that magistrates had that power, distinguishing between sureties for the peace and sureties for good behaviour; at the same time recommending magistrates to be cautious in the exercise of the power.

1478. *Mr. Downing.*] Are you now referring to Lord Campbell's Act with regard to libel?—No; I was only referring to a decision of the Court of Queen's Bench when Lord Campbell was Chief Justice.

1479. *The Chairman.*] Do you apply this method of finding sureties to the exclusion of fine, or do you fine a man and take sureties too?—No, I am inclined to think there is no power to adopt both remedies. That is one of the things probably that the attention of the Committee would be directed to.

1480. Then one of your recommendations would be to provide facilities for the proof of previous convictions instead of having to go through the tedious process of going to quarter sessions which results from the magistrates court not being a court of record?—Certainly. At the same time there is great difficulty in doing it, because it is drawing a distinction between one particular act of the justices and another. No doubt the true remedy would be to make courts of petty sessions courts of record, so that they should have a knowledge of their own proceedings. I may observe that that is adopted in the corresponding courts of petty sessions in Ireland; and perhaps I may be permitted to draw the attention of the Committee to the fact that county courts, the ordinary public tribunal for civil cases (just as magistrates courts are for criminal and also for a variety of civil cases), provide a very simple mode of proving their proceeding. There is a book with different columns for the names of the parties, the plaintiff, the defendant, and so on; and that can be produced at any time to be referred to as a proof of the facts. Similar power, I think, is wanted with regard to the magistrates courts, but in the absence of a general power of that kind it would be desirable to have a special power for these cases.

1481. Do the existing statutes, such as the 23rd Vict. and the 10th and 11th of Vict., override the statutes of James I.?—Clearly not. Magistrates in the case of compound offences might still convict for the simple drunkenness, and, of course, the statutes of James, when you can apply them effectually, come in usefully in reference to these cases to which I have alluded that are short of riotous conduct, which is required to accompany the offence under the statutes of Victoria.

1482. You alluded just now to the difficulty of enforcing sureties; will you be so kind as to say what

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what these difficulties are?—Suppose a person has found sureties for six months, and during that time has committed another offence; in order to estreat his recognisances the conviction for the second offence must be drawn up, and all the facts must be officially certified to the clerk of the peace, who will obtain a declaration of forfeiture from the court of quarter sessions, after notice to the surety and then proceed to levy. There is also great difficulty in enforcing costs when persons are called upon to find sureties. Practically in the majority of cases they do, without objection, pay the clerk's fees for entering into them, but I believe there would be great difficulty in enforcing payment directly. So also with regard to proceedings for estreating the recognisances.

1483. I presume that one of your objects in enforcing sureties is to bring the moral influence of the relatives of the individual to bear upon him to keep him from a repetition of drunkenness?—Certainly; and my experience leads me to think that it is extremely beneficial. It is a mode of proceeding that acts very well indeed.

1484. Have you considered the desirability of adopting any other method of enforcing sureties other than that which at present exists?—I think that power should be given to the magistrates of the same court that calls upon the parties to find sureties, to enforce them. The court of petty sessions should have the means of referring to its own proceedings, and finding that the magistrates did call upon persons for sureties, they should be able to take cognisance of the fact, and also that the condition has been broken, and enforce payment.

1485. Following out that view with regard to influence of relatives and friends upon the vicious habits of an individual, have you considered the propriety or the feasibility of making those relatives liable for the maintenance of the drunkard in any way?—Of course one has no experience under that head, there being no power to do it; but looking at the analogous case of the liability of parents for the maintenance of their children in industrial schools and reformatories, I should say it is extremely desirable, and would tend very much to increase the exercise of authority of relations upon the members of their own family, with a view to restraining them. I see no reason why, if an habitual drunkard is in prison, his relatives should not be equally liable for his maintenance as if he was a pauper.

1486. Have you considered the advisability of placing persons who have committed repeated acts of drunkenness, in a prison, or an institution of some sort in which they can contribute to their own maintenance by working at profitable labour?—I cannot say that I have applied my mind to that. No doubt there are numerous cases where persons have become drinkers, both men and women, that might be reasonably dealt with in a somewhat different way from ordinary offenders. A case came before me last week, in which a man gave way to drink under circumstances very much to be commiserated. Owing to domestic troubles he had become a confirmed drunkard, and, worse than that, he subsequently committed acts of felony, I believe not really discerning the difference between right and wrong; but he was not so far gone as to justify medical men in certifying that he was a fit person for a lunatic asylum, although I had him examined with that view. I may also mention a case that occurred at Stoke-upon-Trent, and that made a great impression

upon me; it occurred within a week of my taking my seat there: a woman was brought before me for drunkenness and appealed to my sympathy, by saying that she had never been before me upon any previous occasion; I was about to let her go, when it turned out that she had been upwards of 80 times before my predecessor; she had never been called upon for sureties, and I subsequently called upon her for sureties, but of course she could not find them, and she was sent from time to time during six years to prison; she was very well behaved when she came before me, and she said, "Well, Mr. Davis, all I can say is, they will be glad to see me again at Stafford;" and so they were, for I heard from the governor that she was an exceedingly valuable person in doing household work, and that she assisted them very much.

1487. That is an illustration of a person who might be turned to profitable account if kept in a reformatory, or something of that kind, that is not precisely a prison?—Yes.

1488. Have you considered the question of how far it would be feasible for relatives, or for sureties, more especially, to give notice to drink-houses not to allow persons under sureties to be supplied with drink?—I have considered that. When I was in Staffordshire, Lord Lichfield, who took great interest in the subject, introduced a Bill in the House of Lords containing a clause of this description; I think that provisions of that kind might very well be enforced. Lamentable cases sometimes come before magistrates of persons who know that their wives, husbands, their sons, or their fathers, are in the habit of excessive drinking; they go in vain to the house to remonstrate. The answer is, "We cannot make any distinction, we are not obliged to do so, and we shall not; besides we cannot tell, amongst the number of persons coming in."

1489. Supposing a form was in existence which a surety or a relative could obtain at the police office, to be signed by the presiding magistrate, would that facilitate matters if such a form could be served upon the keepers of drink-houses?—Very much I think. In order to give a fair trial to a system of that kind, there must be a form; there must be the assistance of public bodies, to put it in force. One's experience shows that if there is anything in the shape of a written form to be dealt with by the persons themselves in that class of life, it is inoperative. If they had some assistance of that kind, I think it would very much tend to put a stop to the evil. Something is wanted that would lead to identification. I may also say that I have been very much struck with the want of power on the part of employers of labour to prevent drink being supplied to their workmen during working hours, close to their own doors or to the gates of their manufactories.

1490. Is there not some recommendation to that effect in the Report of the Select Committee upon Masters and Servants in 1866?—I do not at this moment recollect; there might have been. I wrote a letter to Lord Elcho, who was good enough to print it in the Appendix, recommending sureties in the case of masters and servants, and that recommendation was acted upon by the Legislature, and I may mention, that I believe it works very well. I have found it of the greatest possible benefit. Most cases that come before me of master and servant I deal with in that way, calling upon them to perform their contracts by sureties, instead of fine or compensation. I find that

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that it answers remarkably well. I recollect a very striking case among many others, with reference to men drinking in houses adjoining manufactories. One man on the opening of a house, spent the whole of the savings that he had put in the savings bank, 10 £, in drinking, day after day. The master and the foreman went continually to the house to remonstrate, but with no effect. Judging from that and other cases, I think that a notice given to the landlord of the drink-house might be very useful in preventing him from giving the men drink during their working hours.

1491. I gather from your evidence that in legislating for habitual drunkards you would embrace the whole law?—I think it would be desirable to embrace the whole law including the law relating to the liability of landlords of drink-houses.

1492. I presume that you would propose some consolidation of all these statutes, or some simplification of them repealing these ancient ones and enacting a new one?—I think it very desirable to repeal the Statutes of James. I do not see that there would be any necessity for any law providing for simple drunkenness. Speaking for myself I never impose a fine for drunkenness *simpliciter* apart from some surrounding circumstances; the man refusing to leave the street, or lying about the street, offences of a public kind, touching the public peace or comfort in some way or another. There would be no necessity for providing for simple drunkenness.

1493. As a fact the simple drunkard after dassing a night in the station house does not come before you?—He is just brought up to be discharged if nothing is known of him before; that is the plan that is adopted in London. It is considered a sufficient punishment that he has been locked up.

1494. Then he is turned out to begin *de novo*, to go on in the very same course?—Probably. I may also say that there is a great want of a power to make some compensation to persons whose property is injured by drunkards. At present, there must be a wilful act on the part of a person who is dealt with for destroying anything. A great variety of cases come before me; where a man breaks a window, for example, and it is doubtful whether he has done it spitefully, or whether he has been drinking and lounging about. Of course he is entitled to all the benefit of any doubt that there may be as to whether his mind accompanied the act. At the same time, the injury is done to the person whose property it is. A drunken man goes into a house and he is requested to leave. In going out, whether spitefully or not, he breaks something, and there is no power to make compensation for that. There is power in the Police of Towns Act to make some compensation for damage done by drunken drivers of public carriages, cabs, and so on, but there is no power in other cases of this kind; and it would be extremely desirable if there were. One would like very much to be able to direct a defendant, who has often the means of paying, to make compensation for such injury as I have referred to. The police, too, very often have to engage a cab at their own expense to bring an obstinate drunken man to court; and there is no power to make him pay, unless it is in the shape of costs indirectly.

1495. Are you aware that in some of the states

of America they have very strong laws upon that point of enforcing damages for mischief done during a state of intoxication (either personal or to property), upon the parties who sell the liquor?—Yes; I know there is that power. I have no experience, of course, of the working of it; nor have I turned my attention to it.

1496. How would you define what you call “permitting drunkenness”; it is a nice point, where a man is so drunk as to make it an offence to supply him with liquor; in certain cases of extreme drunkenness, of course it would be easy enough?—There is great difficulty there; but I think if the law made it an offence for a landlord of one of those houses to supply drink to a man who was already drunk, or to give him drink to make him drunk, the matter might be left to the magistrates. But the law is very far short of that at present, in its administration, at all events. The language of the law makes it an offence for the landlord of a licensed house, against the tenor of his license, or against the Act of Parliament, to “permit drunkenness or other disorderly conduct.” There is no doubt that the introduction of those terms has practically induced magistrates, and I cannot say wrongly, to treat it as a necessary part of the offence that there should be something more than mere drunkenness, that there should be disorderly conduct in the house, fighting, and so on. There would, of course, be always great difficulty in defining what drunkenness is, but I do not see how that can well be avoided. It must be left to the good sense of the magistrate and the witnesses. If the landlord knew that it was an offence, in clear terms, to give drink to a man who had already had too much, or to make him drunk, I do not anticipate that there would be any very great difficulty in dealing with such cases.

1497. Amongst other matters connected with drunkenness, have you considered the question of the adulteration of beer or liquors, as bearing upon that?—Not beyond this; until the last three or four years I was sceptical on the point of adulteration, but certainly the statements made to me, rather than any actual experience, subsequently led me to think otherwise. Persons have said to me, and in many cases I believe they have been correct, “I assure you I have only had a small quantity of drink;” so that what they had must have had a stupifying effect upon them in a short time. Beyond that, I am not able to give any information on which the Committee ought to rely.

1498. Mr. W. H. Gladstone.] Would your experience lead you to suggest a cumulative arrangement of fines for simple drunkenness?—I think there should be some limit for magistrates; a minimum and a maximum.

1499. I mean for repeated offences?—I think power might be given to give a greater penalty in the event of the offences being repeated, but when you come to three or four or more convictions, I must say I am inclined to think that sureties or imprisonment are preferable. Fines become after a time useless; you impose a fine, with so many days’ or months’ imprisonment in default, and it is really the imprisonment that is involved in those cases.

1500. What extension of the power of imprisonment would you recommend?—I do not know that I should suggest any direct imprisonment. In the case of drunkenness the power of direct

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direct imprisonment is limited to seven days. There is a longer period if a fine is imposed and default is made in payment. Then the period of imprisonment is regulated by what is termed the Small Penalties Act, varying according to the amount of the fine, seven days not exceeding 10 s., and up to two months not exceeding 5 l. In the present state of the law of drunkenness there are no such heavy fines. The fine does not exceed 40 s. for the compound offence of drunkenness and riotous conduct. A fine of 40 s. and costs empowers two months' imprisonment in default. Generally, I have dealt with cases of repeated drunkenness by calling upon them for sureties; but my course has been somewhat singular, I believe, in that respect. It is not the course generally adopted.

1501. If you had the power of inflicting a heavier fine, would you also require the power of a longer term of imprisonment in default?—Yes; but I do not know that I should be inclined to exercise it. I think one very rarely imposes even the full penalty of 2 l. unless there is some gross offence in addition. Drunken persons often commit some other offence, for which they are dealt with under some other statute, for example, assaulting a police officer, then they can be punished with six months' imprisonment. The more serious cases of drunkenness are frequently dealt with under some other Act.

1502. Do you think that a short term of imprisonment has a moral effect upon the drunkard?—I think it would only be in exceptional cases. The man who once goes to prison for an offence of that kind is most likely to repeat it. When a man is brought up for the first time in his life before a police court and discharged, the mere fact of being brought up operates as a caution, if not for life, for a considerable time. There are many cases of that kind. But when once men are convicted three or four times, I think it is almost idle to deal with them with fines simply. They do not pay the fine, but they go to prison for a limited time. I think the system of sureties might be introduced generally, and that it would operate very beneficially.

1503. You do not think that a conviction three or four times within, say, six months would be sufficient to bring a man within the scope of the Bill which has been proposed by the Chairman in reference to habitual drunkards?—I think the great desideratum is to have a direct power to call upon persons who are habitual drunkards, who have been convicted several times, to find sureties, and to send them to prison for a considerable period in default, limiting the power of the magistrates to deal with persons as habitual drunkards to cases where they have been previously convicted within a given time, say, six months.

1504. We have had one witness who has given it as his opinion, that if a person were convicted three or four times within the period of six months, that would be a sufficient reason for the State interfering, and putting him under detention for a considerable period?—In default of sureties. I think he should have an opportunity of letting his friends come forward and say, "We will use our influence upon him." If they refuse, then he should be imprisoned in default. I cannot say that I should like to see a system of direct imprisonment without that alternative. If a man had been called upon for sureties, and having found sureties, had broken them, the probability is that he would

not then be able to find them again, so there would practically be the same thing as a direct and immediate power of imprisonment. Even if he had been convicted several times, I think he should have the opportunity of letting his friends come forward and saying, "We will undertake for him."

1505. Do you think that a fine of 5 s. is sufficient?—I think there ought not to be that limit; probably it should be 40 s., which is provided by the other Acts, where there is an offence in addition to drunkenness, such as riotous conduct; I think that is a fair limit. The fault of the penalty of 5 s., under the old statute of James, I have already pointed out. The great defect is that you cannot practically enforce it in many cases. The ordinary law which now allows imprisonment to follow the non-payment of a fine is held by text writers not to apply to the case of a fine of 5 s.

1506. Mr. *Downing*.] Have you yourself ever acted under this statute of James?—Yes; the magistrates at petty sessions act under the 21 James I., which gives them certain powers comprised in the earlier statute. The earlier statute was confined to quarter sessions, and to assizes, and similar tribunals.

1507. The Act appears to give this power for the first offence, to impose a fine of 5 s., and in default of payment, six hours in the stocks?—Yes.

1508. And for the second offence, you can require a party, under the statute, to enter into recognisances, or an obligation, in the sum of 10 l.?—Yes.

1509. Have you ever acted under that statute?—Calling upon the person for surety, never, for this reason; I never had a case where there has been a formal proof of a first conviction. I have mentioned already to the Committee that I could not, without that formal proof, take notice of a man having been convicted by me before.

1510. You will observe that this statute was passed nearly 300 years ago?—Yes.

1511. Do you think that this statute is not obsolete?—It has been held that one section is not, that enabling a magistrate to impose the fine of 5 s.; and I think the provision with regard to sureties is also capable of being enforced if the requisite proof were forthcoming.

1512. The persons who are generally brought before you for this offence are tradesmen and labourers principally, I suppose?—Every class, you may say.

1513. Take the case of a tradesman, who has a wife and family; you fine him for drunkenness, and he is brought before you again for a second offence; you then call upon him to give security in the sum of 10 l. to be of good behaviour?—I could do that under the statute.

1514. And you would recommend that law to be renewed?—A similar power, capable of being practically enforced.

1515. I take it for granted that a statute may be passed, such as you recommend; such a person from his habits would be very poor, not able to procure the securities; what would you then do with him?—Any person who is called upon to find securities, and does not, always has to go to prison.

1516. How long would you keep him there, three or six months?—If he was an habitual drunkard.

1517. For

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1517. For the second offence?—Simply a second offence.

1518. That is what you recommended; you would call upon a man for a second offence to enter into sureties for good behaviour in the sum of 10*l.*; and if he does not find the securities, you would send him to gaol for three months?—I should not deal with him because he was a man in a particular class differently from any other person.

1519. Would not that be an extreme interference with the liberty of the subject?—At this moment I am continually calling upon persons for a first offence to find sureties for six months.

1520. Not for drunkenness, surely?—No; I am not speaking of simple drunkenness. I would not give that power in the case of drunkenness *simpliciter*, but drunkenness accompanied by some offence against the public at large.

1521. The Committee are inquiring into the evils of drunkenness itself, rather than into any collateral offence, such as that of being noisy or riotous; we wish to inquire how far we can prevent drunkenness itself?—If you asked whether I recommend a power of calling upon a person for sureties for a second offence of drunkenness simply, I should say “No.” I have already intimated to the Committee that I should think the statute of James might be repealed, and that there might be no offence of drunkenness simply.

1522. Would you for a third offence require that security?—Not for any offence simply of drunkenness.

1523. Then it is only where there is some other offence committed besides that of drunkenness that you would require a surety?—Clearly; I never impose a fine upon any person for simple drunkenness. I never have persons brought before me for simple drunkenness.

1524. You would contemplate, at all events, sending a man to gaol for three months if he does not give security?—Certainly.

1525. Then what becomes of his wife and children?—They may be worse off, or they may be better off than when he was out.

1526. Supposing the case of a wife and family dependent upon the receipts of the tradesman or the labourer; the man may be occasionally drunk, say, upon the Saturday; then he goes to work again on the Monday or upon the Tuesday; he is their support at all events; what is to become of them when he is in gaol?—Of course they will necessarily be deprived of his earnings, but I never had such a case.

1527. I am putting cases that may possibly arise; if they are deprived of his earnings they must, of course, apply for relief to the union?—No doubt.

1528. Then they would become a burden upon the rates?—No doubt.

1529. Therefore you would add very considerably to the taxation of the district by having that man incarcerated?—That is self-evident. If a man who has been earning money for himself and family is deprived of the power of doing so by being incarcerated, that is the inevitable result.

1530. Would you apply the same law to every grade of society?—It is the character of the offence of drunkenness that a person who gets into drunken habits repeats it. There are a number of offences that are not repeated in the same way.

1531. Would you, if habits of drunkenness

had grown upon a person in a superior position of life, treat him in the same way?—I should make no distinction with regard to a person's position. Of course if he became a nuisance to others I should say that he ought to be removed.

1532. Removed to gaol for three months?—Removed out of the way of being a nuisance. There is no other mode I know of incarcerating such persons except sending them to prison.

1533. You appear to be under the impression that you have no power to convict a person of the simple crime of drunkenness unless it is accompanied by some disorderly conduct?—I must have been misunderstood if I am supposed to have said that I had not the power. Clearly there is the power, but I say that I have never been called upon to exercise it, and certainly I never did exercise the power to impose a penalty for drunkenness unaccompanied by any other act.

1534. I think you said that under the municipal law applying to municipal towns, there was not the power to send the person to gaol, to fine him 40*s.*, or give him seven days imprisonment for simple drunkenness?—No, not for simple drunkenness.

1535. I think you are mistaken. I take it that the law is the same in England as in Ireland. Let me call your attention to this: “Every person drunk in any street, or guilty of any riotous or indecent behaviour in any street, office, or petty sessions, or any police station within the town, shall be liable to a penalty not exceeding 40*s.* for every such offence, or, in the discretion of the justices before whom he is convicted, imprisonment for a period not exceeding seven days?”—That is not the simple crime of drunkenness.

1536. Certainly it is. Every person found drunk in any street?—That is not simple drunkenness.

1537. Then what is?—The offence of being simply drunk. The statute of James has often been complained of as a Puritan statute. That statute would empower a magistrate to impose a fine upon a person who in his own house got drunk and went to bed, and did not stir out. Such a person would still be liable to the fine of 5*s.* That is a case of pure and simple drunkenness.

1538. Because in the statute of James the words were omitted “in any street, police office, or petty sessions.” These words are, “every person found drunk in any street”; surely you, as a magistrate, would not tell me that that does not bring a person within the provision of this statute, making him liable to a fine of 40*s.* or seven days' imprisonment?—That is being drunk in the street.

1539. Mr. C. Read.] You say he might be drunk in his house, and nobody would know anything about it?—He would be liable on proof to the penalty, under the statute of James.

1540. Mr. Downing.] I am speaking of the statute with regard to municipal boroughs and towns under the Improvement Act?—That is not simple drunkenness. May I be permitted to test it in this way. A man is brought before me. The police officer, or some other person, says, “This man was drunk at such a time,” does that constitute an offence under the Statutes of Victoria? No; I could not convict except under the statute of James; although there was proof of drunkenness, it must, even under the Town Improvement Act for Ireland, be more; drunkenness

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1541. Do you not think that prevention, if it can be carried out, ought to be tried to the fullest extent before you go to those extreme measures that have been mentioned?—No doubt the magistrate should be fully satisfied that the man was so incorrigible as to justify imprisonment in default of sureties.

1542. Do you not think that a more vigilant supervision over public-houses is necessary?—Most clearly so.

1543. Supposing you had power to give notice to a publican not to sell drink to a person who was a notorious drunkard, I take it for granted that in that case you would give the publican notice before you made any order, that he might be heard upon the subject?—I think that would be desirable.

1544. Suppose the publican to violate your order, what would you do with him on the first offence?—Impose a fine.

1545. What sum do you think would be a fit punishment for a man who violates such an order?—I cannot say that I have considered that; I think a moderate fine would be sufficient. I should say certainly that the best remedy for a repeated offence by a landlord would be the taking away of his license, rather than a heavy fine.

1546. You would impose a pecuniary fine in the first instance?—Certainly.

1547. And if the offence were repeated, would you give the magistrates the power of withdrawing the license from him?—I should give that tribunal, whatever it is, which has the power of dealing with the license, the power of dealing with that offence, as well as any other offences against the good conduct of the house. The same tribunal that decided the one should decide the other.

1548. Are you aware that if a publican is convicted before a magistrate three times in six months, the magistrate has the power of withdrawing his license?—There are certain cases in which such a power exists, but in practice this mode of dealing with drink houses is left to the tribunal that has the power of giving him his license. At present magistrates endorse upon licenses the offences committed.

1549. Is there no power in the court of petty sessions in England to withdraw the license from a publican who has been convicted?—To declare it forfeited in certain cases.

1550. Mr. Akroyd.] The distinction between drunkenness in private houses, and drunkenness in the street. I presume, arose from this cause: a man who is thoroughly drunk cannot go quietly along the street; he must roll about, and knock against the passers by, it may be against ladies; it is hardly possible for him to walk in the street without being, to a certain extent, disorderly?—No doubt, practically, there is something more than being drunk in the street that involves a fine; and there is something much more than the mere fact of drunkenness required to impose a penalty of 2*l*. Practically speaking, it is more than the mere walking along the street. In almost every case of that kind that comes before me, the policeman says, "I repeatedly asked the defendant to go, but he refused." I am bound

to say that in my own experience the police generally behave with very great consideration; even if the man is talking loudly or quarrelling, they give him an opportunity of going away. In the case of three or four men, three out of the four, perhaps, will go quietly away, and the other is obstinate and refuses. Then there are other persons who are perfectly quiet, who are found drunk, robbed, perhaps, in the street; they are stupidly drunk in the street, having been robbed of their money, and often of their clothing. I am generally inclined to deal with such persons severely, but I cannot even enforce the payment of the 5*s*. penalty for drunkenness.

1551. Supposing you had information that some person had got drunk in his own house, and did not disturb anybody, although that would be an offence against the Act of James, you would not ask for any surety, or send the person to prison?—No; I should probably take upon myself to dismiss such a case; but I never had a case of that kind before me in my life, of the Act of James being applied, except for some additional offence which the other Acts did not meet.

1552. I think you have the credit of having applied the Act of James so far as to insist upon persons who have been convicted of being drunk finding sureties?—I must ask the Committee to remember that I have not acted upon that Act. I have acted in the spirit of it, but I have acted upon what I believe to be the general power of magistrates in that respect under their commission. I have already explained that I could not exercise the power given by the Act, unless I had formal proof of a previous conviction, which never in practice is given. A man is brought up in custody for an offence committed the night before. There would be no power even to get the proof of a previous conviction upon which I could legally act. Of course I can take into consideration the knowledge that I have from the clerk, and from my own book, and from the information of officers, that this person has been up 20 or 30 times before, it may be 70 or 80, sometimes 100 times. I know that these persons are habitual offenders, and then I can (in my opinion), exercise the general power of calling upon them to find sureties for good behaviour; not under the statute, but acting in the spirit of that Act.

1553. I presume that the salutary effect of that system is, that it gives you the power of insisting upon payment, estreating the sureties?—No doubt, because if persons think that they can become surety with impunity, they will not exercise any influence in restraining and in carefully watching the persons convicted. No doubt it is desirable to estreat recognisances now and then, so that persons may see that the law is not to be trifled with, but it is very difficult to do it.

1554. Can you tell me how many have been estreated in the case of persons whom you have sentenced?—I cannot give you any information upon that point, it would be useless to make a guess; Mr. Jackson, the chief constable, will no doubt be able to inform the Committee upon that point.

1555. Supposing Mr. Jackson should say that there is great difficulty in estreating the recognisances, would you be in favour of an amendment of the law which would facilitate that?—Clearly, and I know there is great difficulty. I would give the court which imposes the penalty, and

and calls upon the person for sureties, the power of inquiring into the forfeiture, and enforcing payment without going to any other court.

1556. I am rather anxious to ascertain clearly the curative effect of insisting upon sureties; you were mentioning just now the case of a woman who had been sentenced 80 times by your predecessor; I presume you insisted upon her finding sureties to some extent. I want to know whether in the case of such an inveterate offender you have found the system of enforcing sureties produce any wholesome effect?—No, that case was too far gone; it was hopeless. It is generally very difficult when a woman has got into habits of drunkenness to get her out of them, much more difficult than in the case of men, and therefore it is more difficult to get persons to answer for them.

1557. So that this system would not be beneficial in extreme cases?—No.

1558. You have had some questions put to you about the conduct of landlords of public-houses in serving liquor to drunken persons; has your attention been called to the Habitual Criminals Act; more especially to clause 10 on that subject?—I do not recollect the section at this moment.

1559. The section imposes penalties upon beer-sellers and others who knowingly permit the resort of habitual thieves in their houses; and magistrates may, if they think fit, in addition to, or in lieu of, a penalty, require the parties to enter into recognisances, with or without sureties, to keep the peace, or be of good behaviour, during 12 months; do you consider that provision of that kind would be applicable and desirable in such a Bill as that proposed by the Chairman?—I think so; coupled with the power of enforcing them.

1560. You would approve, in fact, of a system of sureties for those publicans who are liable to have their houses frequented by habitual drunkards?—Yes; I think it might be well applied there.

1561. In the same section there is a provision that, on a second conviction, the party shall be disqualified for a period of two years from receiving any such license; and there are also other stringent provisions with regard to licenses?—Yes.

1562. Would you be in favour of extending those provisions to the Habitual Drunkards Bill?—Yes.

1563. Perhaps you have not noticed, or had submitted to you, a Return recently presented to the House of Commons upon the subject of habitual drunkenness. It is a Return dated the 17th of August 1871, and only just issued. This Return gives statistics with regard to Sheffield as contrasted with Leeds. Taking Leeds first, with a population of 259,201, I find that the total convictions for being drunk and disorderly during the 12 months ending the 1st July 1871, were 1,769; and out of this 1,769, 267 were second convictions, 114 third convictions, and no less than 320 more than three convictions. In Sheffield, with a population of 239,947, the convictions for being drunk and disorderly amount together to 904 (against 1,769 in Leeds). Out of these 97 were second convictions, 42 third convictions, and 76 more than three convictions. It would appear from the figures in those cases that after the third conviction persons become habitual drunkards, and almost reckless, and the

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existing mode of meeting the difficulty has no effect whatever. From your own personal observation, would that be the conclusion to which you would arrive, that after the third conviction some other means; an inebriate asylum, or something of that kind, would be required to deal with those cases?—Something more than mere fines. I think three convictions would be a fair number to take. In the majority of cases in which I have called upon persons for sureties, there have been eight or ten, or twelve convictions.

1564. Moreover, looking at the favourable contrast presented by Sheffield to Leeds, do you from your own observation and judgment believe that one cause of the advantage of Sheffield in this respect is due to your system of enforcing sureties?—I must not say that.

1565. Nevertheless, I presume you are satisfied in your mind that the system is beneficial, otherwise you would not persist in it?—Quite so; I should not persist in it if I did not think it was beneficial, because I am acting counter to what was done before. I should be sorry to be deprived of the power, and I have said openly that I intend to exercise it until I am restrained by the Home Office, or some other authority.

1566. Mr. *Mitchell Henry*.] Being a stipendiary magistrate, I suppose you are a member of the legal profession?—Yes; a barrister of the Oxford circuit.

1567. With regard to persons who are drunk, and not noisy or troublesome in the street, I suppose the practice varies in different towns; I believe in London such persons are locked up, and brought before the magistrate in the morning to be discharged?—Yes.

1568. Is that so in Sheffield?—Certainly, that would be so for the first offence, unless a man had been robbed; then I generally tell him, "You have done a great injury to society in allowing yourself to be robbed; you have, in effect, contributed the value of these stolen articles to a thieves' fund, by taking so little care of your property." These persons think they are much to be commiserated when they have lost their property, but I generally treat the matter the other way. Generally speaking, with that exception, persons are discharged for the first offence, following very much the course adopted in London.

1569. For a second offence you inflict a penalty?—I inquire if the person has been up before. The police have their records, and I get the fullest information from them. If the persons have been before me for some other offence, I do not take any notice of that. For instance, if a man has been convicted of felony, I do not bring that against him on a charge for being drunk. If he has been up for a similar offence, I then treat him as an old offender, and impose a fine; or, if an habitual offender, call upon him for sureties.

1570. If the police find a person in the street who is unable to find his way home from being intoxicated, but who is not noisy or troublesome, do they take him into custody, or do they assist him to his home?—They endeavour to find out where his home is, and if he is able to give an account of himself, they take him home.

1571. Nothing more?—Nothing more. I should think not one person in twenty who is found drunk, is brought to the station and locked up. Of course it varies a good deal with the temper

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of the individual policeman, but that is the general tenor of the conduct of the police.

1572. Did I understand you to say in reference to workmen who are habitual drunkards, that you would serve a notice on the public houses in the neighbourhood, that they were not to supply this man during working hours?—Yes, I would give a notice to this effect: “A. B. is in my employment, his working hours are so-and-so, I require you not to supply him with drink, or to allow him to remain in your house during those hours.” The great difficulty is to identify the person. How is the landlord to know that the person who comes in is the person referred to? I would give power to the police to take the man, and show him to the landlord.

1573. Would there not be another difficulty; if a man was refused at one house, might he not go to another, especially in a large town?—Of course there will be all those modes of evasion; still there is a great propensity to go to houses near the works.

1574. Do you think that, except in some small villages where there were one or two public-houses, such a provision would work?—I think it would work very well indeed. The public-houses are set up purposely just outside the manufactories; it is known that the men will come to them.

1575. Is there not an enactment now, that no public-house shall serve a person who is drunk?—Yes, if wilfully “permitting drunkenness, or other disorderly conduct,” includes it. Reference has been already made to the difficulty of defining drunkenness, and to the ingredients of the landlord’s offence. There is such a thing as sitting, sleeping, and lying about all day long in one of these houses, and yet the landlord at present escapes all responsibility.

1576. Suppose a man is absent from his employment, and suppose that on Tuesday, for instance, he goes in a public-house and asks for a glass of beer, and he is not at all intoxicated; would you contemplate the refusal of that individual by the publican?—I think the best answer would be the good sense that prevails in all benches of magistrates; they would not in such cases think of inflicting a penalty; it is only done in obstinate and perverse cases. Of course it is sometimes difficult to draw a precise line, but I think the magistrates generally exercise their power in a liberal way to the accused persons.

1577. The difficulty is in the working of such an enactment; a labourer might be absent from his employment for three or four weeks, and very properly be subjected to such a provision. If after a day’s sleep he went and asked for a glass of beer after his dinner, and the publican said he had an order from his employer not to serve him, what would you then suggest?—I think the landlord ought to refuse; no doubt the man would grumble.

1578. Would not the result be that he would go somewhere else?—Very likely he would, but I may say this, I have to deal with perhaps six or seven cases of master and servant every day of my life, five days in the week at all events, and in much the largest proportion of cases I find that the offence is that of a man absenting himself from service, not going away altogether, but absenting himself during working hours, for what purpose? Drinking. Often the master is in the same humble position of life as the servant, and he is dependent upon him for his own daily bread;

I refer, for example, to what are called forgers and strikers; they are men in the same class of life, only the one pays the other. The payment is for piecework, and the man cannot earn his wages to take home to his wife, because the person he relies upon is drinking from day to day; he goes to him at the public-house, but there is no mode of stopping his drinking in any way; I feel very strongly upon that point.

1579. Mr. Miller.] To remedy such a case as that, you would send notice to the adjoining public-houses?—Yes, anywhere where there was reason to suppose that the man was in the habit of resorting.

1580. You were asked a question as to what would become of the families of workmen and labourers, who might be thrown into prison in consequence of drinking. Do you find that people who have been committed for drink are very careful of their families generally?—No, it is quite the converse. The cases I was alluding to in which I call upon the persons for sureties, are cases in which I am sorry to say it is the greatest relief to their families when they are sent away from them; they are probably dependent on some member of the family.

1581. If an improvement could be brought about in the habits of such people, would not that tend largely to the reduction of the rates?—Yes.

1582. So that though the confinement of some of these persons would cost money, it might be recouped by the reduction of the rates?—Certainly.

1583. And so far as the public is concerned, there would be economy in the operation?—Yes. Of course when I gave a former answer to another Member of the Committee, it was upon the supposition, included in the terms of the question, that the person sent to prison was, when out of prison, providing for his family.

1584. I suppose you find also that people who have been convicted three or four times for drinking, and have been committed to prison, lose all respect for themselves, and so become as it were habitual drunkards?—That is so, no doubt.

1585. Then some process by which these people could be restrained would be a benefit to the public?—Yes.

1586. As well as to themselves?—Yes. If it operates as a restraint upon them, good; if it removes them, good; because the evil with regard to a drunken man, and a drunken woman especially (and I am sorry to say I have many such cases to deal with) is that when they are rolling about the streets, they are invariably followed by numbers of children of both sexes, a crowd of fifty, or sixty, or a hundred children. It is idle to talk of schools if this be allowed to go on; and such scenes do go on day and night. It is better to remove a woman of that kind at any cost, or a man either. It is not so bad perhaps in the case of a man, because it is more common to see a man drunk, and he does not gather about him such crowds; but there is always a kind of buffoonery that amuses people, and in this way the most demoralising scenes are witnessed day after day in the streets.

1587. To restrain such persons as you have described would not only be a benefit to themselves, but a benefit to the public at large?—Undoubtedly.

1588. Therefore it would be worthy of some expense if such a benefit could be attained?—Yes, I may be permitted to say this, I might be supposed

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supposed to entertain some strong views with reference to drink. Now my strong views are in the direction that beer, and plenty of it, is necessary for the working man.

1589. Mr. *Clare Read*.] You think that some other discipline rather than a prison would be better for the habitual drunkard; some sort of reformatory?—I have not applied myself to the exact mode of treating them. I have looked at the matter in the perhaps coarser way of removing them. There is no other mode provided but a house of correction. But I should be glad in a number of cases, to see an intermediate place for such persons.

1590. Where they might have a longer detention, and receive greater benefit than they would receive at prison?—Yes.

1591. I suppose you consider that the fine of 5*s.* in the time of James I. was a much more severe fine than it is at the present day?—No doubt.

1592. It was a fixed sum?—A fixed sum; 5*s.*, neither more nor less.

1593. Then if the person did not pay, he was liable to be put in the stocks?—Yes, at the end of seven days he was liable to be put in the stocks for some hours.

1594. How long has the punishment of the stocks been abolished?—There is no fixed period. It has become obsolete by the course of feeling more than by the express operation of law.

1595. There is really no law that has done away with the stocks?—Not directly; but statutes have been repealed, expressly or impliedly, that contained the provision for them.

1596. You are aware that in country districts we have often great difficulty in dealing with drunkenness, it being a roundabout and expensive and troublesome matter to bring a man before the magistrates?—Generally the man is brought by the police. Private persons often apply to the police. I am not aware of any great difficulty in enforcing the law, now that the police force is established throughout the country.

1597. Are you aware that in country districts proper we have no more than one policeman to about four villages?—I dare say there is a difficulty there.

1598. And that you never can find a policeman when you see a drunken man; if you take the man before a magistrate, and he is sent to prison, his wife and family must suffer?—Yes.

1599. You do not think that there is any summary or degrading punishment that might be inflicted in such a case?—I am afraid not. The fact has been alluded to already, that a drunkard loses all his self-respect; if you impose some punishment which adds rather to that difficulty, the loss of self-respect, you increase the evil rather than abate it, and that probably has been the tendency of the stocks, and punishments of that kind. When a man has lost his self-respect, he is gone.

1600. Here is a case that I received this morning from a magistrate of Norfolk: "Two carters were summoned for being found in a most terrible state of drunkenness. It appeared that on their way they had stopped at more than one public-house, and had been served, though drunk, with more beer. The master came with the men, and requested that information might be laid against the alehouse keepers for having sold beer to the men under the circumstances, and so offending against the terms of their licenses. On

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my suggesting that an information should be laid, the clerk informed me that the Court of Queen's Bench decided that beer was not an excisable liquor; and that therefore no penalty would attach under the circumstances?"—That does not conform to my view, certainly.

1601. The Court of Queen's Bench never decided so?—Not for that purpose, clearly. I may be permitted to observe that that letter affords a striking illustration of how desirable it would be to have some such provision as has been suggested. The master in that case, as I understand, went to complain of his men drinking there. Any provision of that kind would be extremely useful in this way. The difficulty has been already adverted to of defining what is real drunkenness, apart from a man being what is termed "fresh." Now, if there were a general provision of that kind, proscribing the landlord from supplying drink to men during working hours (after notice of the man and his hours) no such nice questions would arise as to whether a man was half drunk or very drunk.

1602. When two or three carters are going a long distance, passing perhaps two or three public-houses, they begin with one pint of beer, then they get a pint at every house they pass, and before they arrive home they are very drunk; you think it would be a good provision in such a case, where a man was at all the worse for beer, that the publican should be liable to be fined?—Where the man who in the course of his employment is engaged on a journey a distance from home, there would be great difficulty, I am afraid.

1603. Mr. *Samuelson*.] You have said that when a man has lost his self-respect he is gone; do you not think that imprisonment in the case of habitual drunkards would more than counterbalance the deterring effect of the fear of punishment by their association with habitual criminals in prison?—No doubt it is desirable to distinguish as far as possible between the persons so sent and habitual criminals; but in those cases where a man actually goes to prison, I do not anticipate his reformation so much as his separation from the public at large, so as to prevent a repetition of the offence.

1604. Therefore, do you not think it would be much better that he should be kept separate in some institution where he would not mix with habitual criminals?—Yes; but that opens a very wide question; many persons are imprisoned for what may be termed civil offences rather than criminal; at present there is no distinct provision for the two classes; but we are gradually getting rid of imprisonment for debt. There were different classes in the wards, debtors' wards and criminals', still debtors were sent to the same prison, and are now sent in great numbers, I regret to say, by county court judges for non-payment of debts. There is that want of distinction so far as regards the outside public. Whatever may be the distinction inside, there is the impression that they are in prison, and there is no distinction drawn between them. That is no doubt a fit subject of inquiry.

1605. In point of fact, in prison they are kept separate?—In point of fact, in prison there are separate wards.

1606. But these habitual drunkards who have committed slight offences against common decency and safety would not be kept separate from other habitual offenders who may have committed similar offences not under the influence of drink?—I do

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not know the exact classification in the prisons; if they are sent for not finding sureties there is a broad distinction.

1607. But not when they are sent for repeated offences?—If they are fined and imprisoned for non-payment of fines, there is some separation, but I cannot say precisely the nature of the distinction; they would not be treated as convicted felons.

1608. You think it might be desirable that some separate institution should be found for such cases?—Probably so; whether separate institutions merely for drunkards would be necessary or desirable, I do not know; I have not considered that.

1609. *Colonel Brise.*] Under what Act are most of your convictions at Sheffield?—Under the Police of Towns Act, or the Refreshment Houses Act. They are practically the same, giving the same fine, the same direct imprisonment, and the same alternative.

1610. Have you any convictions under the old Acts of James I.?—Yes, for this reason, that they are applicable to where something more has taken place than simple drunkenness, and short of the other offences. Although they are convicted and fined 5s. repeatedly under that statute, it is where they have been guilty of some offence, such as having been found in the street drunk, and having been robbed, or found in some other place than a street, some offence in addition to drunkenness, but short of the riotous conduct which justifies conviction under the other statutes.

1611. Most of the convictions are under the other statutes that you speak of?—The majority certainly. Those who are not guilty of any other offence than being found in the street, and unable to give an account of themselves are discharged, and there is no conviction. Undoubtedly, the majority of cases in which there is a conviction are under the other statutes.

1612. You heard just now from an honourable Member the statistics of drunkenness at Sheffield as compared with Leeds; how do you account for the very great difference? Is it owing to more temperate habits among the inhabitants of Sheffield, or to the supervision of the police, or to the leniency of the magistrates who look upon this crime in a more generous and lenient way?—I should be inclined to attribute it to the excellent supervision on the part of the police. Of course it is difficult to give an opinion on a matter where so many elements must be taken into consideration. I do not know that I could offer an opinion upon that point on which the Committee ought to rely; but from my own observation I should be inclined to attribute it to the excellent arrangements of the police.

1613. Do you mean that the supervision of the police is more active at Leeds than it is at Sheffield?—On the contrary. It is Sheffield that contrasts favourably with Leeds. My knowledge is only with regard to Sheffield, but I do not like to say more in the presence of the chief constable of Sheffield who, I believe, is here. It is only due to him to say that he is a most admirable chief constable.

1614. Mr. *Akroyd.*] I understand you to say, that you would recommend that masters or employers should have the power of giving notice to keepers of public-houses to abstain from serving any of their workpeople during working hours?—Yes.

1615. Suppose the case reversed. I have known cases in which an employer, who has sprung from the working classes, has been given to drink; he has had a lot of sober men in his employ, and his insobriety has inflicted as much injury upon them as their drunkenness would upon him. In such a case would you extend the same provision to the employer?—Certainly; there may be cases where it would be desirable. One does not of course suggest legislation unless it be desirable, but what is fair to one would be fair to the other. There are many such cases, especially in Sheffield; for instance, the case I mentioned of the forger and striker. The head man is often a drunken man, and he is in the same class of life as the other.

1616. Would you give the working people power to give notice to the beerhouse keeper to abstain from serving liquor to their employer?—It would not of course be necessary in the case of a person receiving fixed wages, because if the master is not on the spot to employ him, he is entitled to his wages; no doubt where there is piecework the men are only paid for the work they do; but then the better remedy would be to make a complaint under the Master and Servant Act, and say, "You have not found me sufficient work;" the employer has not a remedy against the man to the same extent; no practical remedy beyond bringing him over and over again before the magistrates for absenting himself. It seems to me desirable to go to the fountain-head, at all events in addition, and deal with the person who supplies the man with drink.

1617. Do you not think that the same object would be accomplished as effectively by applying the provisions of the Habitual Criminals Act, in clause 10, to which I have already referred, if the masters or the work people were habitual drunkards they would come under the operation of that clause?—I think for practical purposes it would require to be carried further.

Captain DUNCAN McNEILL, called in; and Examined.

Captain
McNeill.

1618. *Chairman.*] I BELIEVE you are Chief Constable of the West Riding of Yorkshire?—I am.

1619. Your head-quarters are at Wakefield?—Yes.

1620. How long have you been there?—Three years.

1621. Has the question of drunkenness come under your notice in your professional position?—It has, very prominently.

1622. Have you any reason to believe that

drunkenness has of late years increased?—As a matter of fact it has increased very much.

1623. To what do you attribute that?—I attribute it principally to the very high rate of wages which can be earned in all parts of the West Riding, and the short hours that the men work; also to the improvident character of the people.

1624. The hours of idleness are hours of temptation?—They are, certainly, in these thickly populated places.

1625. Have

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1625. Have you any figures bearing upon that point?—I have.

1626. Without taking you through all the details, can you give us a summary of them?—In the year 1868, the number of drunk and disorderly cases was 2,591; in 1869, it was 2,889; in 1870, it was 3,803; and in 1871, it was 4,683.

1627. What is the population?—About 980,000; I daresay it would prove to be a million.

1628. Have you considered what the definition of an habitual drunkard should be, in making it an offence for a publican to supply liquor to him?—Yes, I have; I think that a clause might be introduced similar to the 10th section of the Prevention of Crime Act, and a penalty might be inflicted upon publicans supplying an habitual drunkard after a certain number of convictions, say, three, a man might be called upon to find sureties for good behaviour, or be imprisoned for a certain time; after that he should be committed without the option of a fine, and be deemed to be an habitual drunkard.

1629. Three times within what period?—Within a year.

1630. For how long would you commit an habitual drunkard, supposing he could not find sureties?—I do not propose that he should be called upon to find sureties as an habitual drunkard; I should in that case commit him without option; I would give him the option before being called an habitual drunkard.

1631. You would first call for sureties, and after that, when he became an habitual drunkard, under your definition, you think he should be committed?—Yes; I should not call upon him to find sureties on the first and second convictions; but on a third conviction within a year, I should call upon him to do so. I should make the fine a progressive one up to the third time.

1632. What term of commitment would meet your views?—Perhaps three months; but I fancy the question would be, what amount of imprisonment might be likely to cure the propensity.

1633. You would take three months as the minimum?—Yes.

1634. Have you considered the maximum?—I cannot say that I have thought of that; it would depend upon how long it might take to complete the cure, and that is rather a medical question.

1635. Have you considered what you would do with him when you had committed him, how you would employ him?—No, I have not.

1636. From your experience, do you believe it would be difficult to put him to remunerative or partially remunerative labour?—No, I think not; and I think that a certain light kind of labour might be beneficial both to mind and body.

1637. Without going into the medical question, are you of opinion that the occupation would be beneficial to him in more senses than merely earning money?—I think it would.

1638. Then, if such an institution were to be established as a reformatory in the nature of an industrial school to which a person could be committed, and in which he might be employed at remunerative or partially remunerative labour, that would be better than sending him simply to hard labour, the unproductive labour of a prison?—I think it would certainly be preferable to sending him to unproductive labour.

1639. I believe Wakefield Prison is one of 0.73.

those prisons in which productive labour is largely carried on?—It is.

1640. And it answers well?—It answers very well.

1641. What would you do with the publican who supplied liquor to a person already drunk, or who had been certified to him as an habitual drunkard living in his district?—I should fine him not less than 5*l*.

1642. Would you make that a cumulative penalty, and would you do anything more?—Certainly. After three or four times the license should be taken away.

1643. Are you aware that in one of the licensing Bills now pending, the idea of cumulative penalties ending in the abolition of the license is rather a leading point?—Yes, I am.

1644. Does it meet with your approval?—Yes.

1645. You would take away the license from the house entirely?—First, from the individual, and then from the house. I approve of it very highly. I have known instances where two or three different tenants have held a public-house or a beerhouse. They have succeeded each other, and the house has remained licensed.

1646. Have you any opinion upon the subject of making the seller of liquor to persons already intoxicated liable for damage that may ensue to the individuals or to others, in consequence of that supply?—No, I have not considered that point.

1647. Have you considered the question of the adulteration of liquor?—I have; and I think there is no doubt that liquor is very largely adulterated throughout the country. I speak now to a certain extent from hearsay, but my officers tell me that men coming out of many of these houses, instead of staggering about, as in the case of ordinary drinking, fall down; that the liquor is certainly of a different class from what it was. We know very well that the lower class of persons will go to the houses where the liquor is strongest. They want to produce a certain effect.

1648. Is it within your knowledge that there are certain houses in which men can get drunk for less money than others?—Yes.

1649. Are there any other points which you desire to put before the Committee?—There is one remark I desire to make. These statistics of drunkenness form no indication of the real drunkenness in the Riding. "Drunk and riotous" cases are dealt with in all petty sessional divisions; but it is the practice in some districts not to take cognisance of simple drunkenness. If a uniformity of practice existed in all parts of the Riding, these numbers might be swelled to a greater amount.

1650. Mr. W. H. Gladstone.] You said you attributed the increase of drunkenness partly to the rise of wages?—Yes, in a great measure.

1651. Would you say that a working man's consumption of drink is in proportion to the rate of his earnings?—It is so amongst many of these uneducated people. Colliers who used to make 3*s*. 6*d*. a day can now make 5*s*. or 7*s*., and they will work three or four days, and drink for the rest of the week, remaining perfectly idle.

1652. You are in favour of a cumulative system of fines for simple drunkenness?—Certainly.

1653. What would you do on a second conviction?—I should increase the fine. I see that the fine as proposed in the new Licensing Bill will be 10*s*., in place of 5*s*., for simple drunkenness.

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ness. In that case I should make it 17. for the second offence, and I should call upon the person to find sureties on the third occasion.

1654. Mr. *Akroyd*.] I think you assisted to prepare the return of cases of habitual drunkards in the West Riding?—I did.

1655. The figures in that return correspond nearly with those that you have given to the Committee; but I notice that the number of third convictions is 176 out of a total of 4,505; then, applying your principle you would require those 176 persons to find sureties; you would class them as habitual drunkards?—I should call upon them to find sureties on a third conviction, and, if again offending, I should class them as habitual drunkards.

1656. In speaking of remunerative labour, you recommended just now labour of a light character?—It should be a class of labour likely to develop and improve the mind of the person engaged in it.

1657. I suppose at first, after incarceration, an habitual drunkard would not be fit for much; he would not be able to turn out much work?—No, probably not.

1658. After he had been in prison for a certain time he would be called upon to earn his living?—As the evil effects passed off probably he would be able earn something. At first the labour should be of a kind to improve his mind to some extent.

1659. Do you think all habitual drunkards might be expected pretty nearly to earn their own living, so as not to be a cost to the Riding?—That is rather a difficult question; their earnings might reduce the cost to a considerable extent.

1660. Mr. *Miller*.] At all events I gather from you that if the habits of those men were improved it would have an effect upon the rates, as it would diminish pauperism and crime?—Yes.

1661. So that it might be looked upon as an economical measure, so far as the public were concerned?—Yes; anything that tended to repress drunkenness might undoubtedly be considered so.

1662. And it would be a benefit to society to have those people taken out of sight?—Undoubtedly.

1663. Mr. *Birley*.] You have told us that there has been an increase in the convictions in the West Riding for drunkenness?—There has been a large increase in convictions for drunkenness.

1664. From 2,591 in 1868 to 4,683 in 1871?—Yes.

1665. You attribute this to high wages and short hours?—In a great measure.

1666. And to what other causes?—I think the increased power given to the police under the recent Acts, and perhaps the increased vigilance of the police, may have helped to bring about this result.

1667. The increase is enormous?—Yes, nearly double, and out of all proportion to the increase of population.

1668. Do you find that throughout the West Riding the increase is tolerably proportionate in different places?—There is an increase every-

where, but especially in thickly populated districts, like the neighbourhood of Dewsbury; it is not so great in agricultural and moorland districts.

1669. Are you of opinion that as a district becomes more thickly populated there is a greater tendency to drink?—Undoubtedly, there are more inducements for the people, and the mind probably gets more debased.

1670. And probably the atmosphere may have something to do with it?—Yes.

1671. And the amusements?—Yes, dancing saloons and amusements of that kind.

1672. Mr. *Samuelson*.] Would you commit an habitual drunkard to the common gaol, the same as any other habitual criminal?—I think it may be a question whether it is good policy to do so, unless suitable employment could be provided for him. His incarceration would be with a view to effect a cure. Probably some asylum might be advantageous.

1673. Do you think that the increased cost upon the rates of erecting such an asylum would be repaid by the diminution of crime and pauperism, brought about by the reclamation of habitual drunkards?—If we could be sure of reclaiming them it might be so.

1674. Do you think that the fact of music and dancing licenses being accompanied by drinking licenses is one of the greatest incentives to drunkenness?—It is the very greatest evil.

1675. The people would probably frequent these places for music and spectacles if there were no drinking allowed?—Yes, no doubt they would.

1676. And of course they would not have the same temptation?—They would not.

1677. Colonel *Brise*.] Have you considered how to get at the root of the evil you have alluded to with reference to increase of wages increasing drunkenness?—I apprehend that nothing short of an improved state of mind, looking at the matter in an educational point of view, is likely to mitigate the evil. These people are of a very low class, and as soon as they get money in their pocket they go to those houses where the strongest liquor can be got at the least price.

1678. Major *Walker*.] With regard to adulteration, do you think that that is common to beer and spirits as far as your experience goes?—I must be understood to speak of adulteration simply as a matter of police information. I have not analysed any of the liquors, but I believe that adulteration is largely carried on.

1679. Both beer and spirits?—I am talking of beer principally.

1680. Mr. *Akroyd*.] You have shown a great increase in the number of convictions for drunkenness in the West Riding during the last three or four years; do you think that that increase is partly attributable to the greater facilities possessed by the police under the Wine and Beer Acts of 1869 and 1870, for entering public-houses and summoning the landlord?—I think the increase is partly due to the increased powers given to the police.

1681. *Chairman*.] Have you any knowledge of what becomes of the wife and family of the habitual drunkard who gets committed for a long term of imprisonment?—I have not.

Mr. *JOHN JACKSON, called in; and examined.

1682. *Chairman.*] You are the Chief Constable of Sheffield, I believe?—I am.

1683. How long have you occupied that position?—A little over 13 years.

1684. Previous to that time, had you filled any similar position?—I was chief constable of Oldham 10 years.

1685. Confining you to Sheffield, how have you found the existing Acts of Parliament work with regard to the question of drunkenness; I mean drunkenness together with riotous conduct, and so on?—I find that they are inadequate, inasmuch as they give no direct power to the police to apprehend without a warrant in simple cases of drunkenness. If the police take a person into custody for simple drunkenness, it must be because they find him so incapable that it is necessary for his own safety; in which case they release him as soon as he recovers consciousness and is able to take care of himself. In other cases they cannot apprehend unless drunkenness is accompanied by some breach of the peace. I think the police ought to have a direct power to apprehend in such cases.

1686. In the event of persons refusing to leave a licensed house, I think under the Refreshment Houses Act, there is a clause to that effect?—They may turn a man out.

1687. In the Police of Towns Act (10 & 11 Vic.), I believe there is a similar power?—There is no power to apprehend without a warrant.

1688. You can remove them from premises, but you cannot take them into custody?—Yes; if they refuse to go away, and become very riotous and create a breach of the peace, the constable is justified in apprehending them for the breach of the peace.

1689. You would strengthen the hands of the police by giving them power to take them at once into custody without a warrant?—I would give them that power certainly, because there are cases where it is desirable that it should be exercised. I do not believe that it would be frequently exercised. From my knowledge of the working of the police, I believe if persons would go away they would not be apprehended.

1690. Practically, when a person is taken into custody who is drunk and incapable, he is locked up, and then in the morning when he is sober he is taken before a magistrate, and discharged with a caution not to do so again?—Yes.

1691. What would you do with people of that description; the penalty now stands at 5s.?—I think it inadequate, and would increase it.

1692. What would you do with them?—I would leave it to the discretion of the magistrates, as in the Police of Towns Act and the Refreshment Houses Act, giving them power to impose a fine not exceeding 40s.; letting the magistrates be the judges, after hearing the evidence, and considering the facts.

1693. Do you share the opinion of Mr. Davis as to the utility of calling upon parties for sureties?—Most assuredly.

1694. For a second or third offence?—Yes.

1695. Practically, have you known persons reclaimed by being obliged to find sureties?—I have known many restrained for a considerable period. I believe as a corrective it is much more efficient than the imposition of a fine.

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1696. A fine and a short imprisonment is practically of no use?—Very little.

1697. Are you in favour of repealing all the existing measures, and substituting some new code?—Yes.

1698. You prefer that to utilising the existing law?—I think there should be one uniform measure applicable to all parts of the country.

1699. Some measure treating drunkenness and its co-ordinate offences as a separate Statute?—Yes.

1700. Have you any experience personally of the difficulty of estreating sureties?—Yes.

1701. Tell us what that difficulty is?—It is this. In order to procure the estreating of recognisances it is necessary that application should be made to the quarter sessions. The court of quarter sessions can only hear counsel; therefore, in order to estreat a recognisance of 5 l., it would be necessary to instruct counsel (the quarter sessions are only held at Sheffield once a year, the other three sessions being in other parts of the riding) to take witnesses to prove that the recognisance was duly entered into, and other witnesses to prove that the person was subsequently convicted of a breach of the peace. The cost, in some instances, would be more than the amount of the recognisance. So difficult is it that I never knew of but one instance, in my experience of 23 years, in which a recognisance was estreated, and that was at the last Doncaster quarter sessions, where I had to do what I have already mentioned.

1702. You think it desirable that there should be some simpler method of enforcing recognisances?—Yes; I think the magistrates at petty sessions, before whom the recognisances were entered into, should have the power of estreating them, on being satisfied that they were forfeited by reason of a man's subsequent misconduct and conviction.

1703. I do not know whether you heard what Mr. Davis said about constituting magistrates' courts, courts of record?—Yes.

1704. Do you agree with his views upon that subject?—Certainly.

1705. If you take a man into custody for drunkenness at night, you can bail him for the night, but you cannot bail him for the day?—That is one of the peculiarities of the Municipal Corporations Act. The officer on duty at the station has power at night to take bail for persons who are brought in for petty misdemeanour, but the same officer, if on duty during the day, has no power to take bail in the same class of offence, or, in fact, for any class of offences.

1706. Then there is an anomaly which it would be desirable, especially in cases of petty misdemeanour like drunkenness, to remove, and power to bail should be given to the officer on duty in either case?—Yes. Though the magistrates in Sheffield meet every day, they do not sit till 11 o'clock, and the business is often over at two, or soon after; and it frequently happens that persons are taken into custody in the afternoon of the day, who have to remain till they can be brought before the magistrates at 11 o'clock the next morning, whereas if they were taken into custody after nine o'clock at night they could be bailed out immediately.

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1707. I believe at present there is a clause in certain Acts with reference to publicans knowingly permitting drunkenness to take place?—Yes, it is an offence against their license.

1708. Do you think that adequate, or would you strengthen that power?—I would strengthen it in this way, by imposing a penalty upon the publican for supplying drink to persons when drunk.

1709. You think that if a publican allows a man to get drunk on his premises, he has no right simply to turn him out and then let him take his chance; you would prevent that?—Yes.

1710. Practically, a good many assaults upon police officers take place in the act of removing drunken people from premises?—Very many, I regret to say.

1711. I suppose it often happens that when a man is ejected from one place he goes to another, and then has to be ejected again?—That frequently happens.

1712. Therefore the better plan would be to take a man into custody and shut him up at once?—Yes, in many cases it would.

1713. Evidence has been given with regard to persons previously convicted of drunkenness; have you any views of your own in regard to such cases?—My views are, that after repeated convictions for drunkenness persons should be called upon for sureties to keep the peace, as I have already stated.

1714. But with regard to giving notice to parties not to sell to an habitual drunkard, in what way do you think that should be managed; you have heard already that it is proposed to have printed notices in the hands of the police; is there any other method that you think could be adopted?—I do not know of any other.

1715. Have you any figures with regard to the number of persons apprehended for drunkenness in proportion to those apprehended for general offences?—Yes.

1716. Will you give them?—In Sheffield, during the year ending 31st December last, 2,732 persons were apprehended for offences of all kinds.

1717. Have you divided them into men and women?—Yes. There were 2,134 men and 598 women; of these 1,164 were apprehended for drunkenness, 877 of whom were men and 287 women.

1718. How were the drunkards dealt with?—They were dealt with thus, 154, or 13·2 per cent. were discharged; 889, or 76·4 were fined various sums; 29, or 2·5 per cent. were committed without fines; 92, or 7·9 per cent. were called upon for sureties to keep the peace, and be of good behaviour.

1719. Have you any knowledge of the difficulty that the 92 had in finding sureties?—I have; one half precisely found sureties, and the other half went to gaol.

1720. Are these people belonging to your especial district, or are you a great deal troubled with tramps and vagrants?—We have a good many tramps and vagrants; of the total number of persons apprehended for drunkenness, 196, or 16·8 per cent., were strangers, and mostly tramps.

1721. Of these who were taken into custody, how many of them were known to the police as for the first, or second, or third time?—I am still confining myself to drunkenness: 612, or 52·9 per cent., were, so far as known to the police, in custody for the first time; 143, or 12·2 per cent.,

for the second time; 69, or 5·9 per cent., for the third; 32, or 2·7 per cent., for the fourth; 21, or 1·8, for the fifth; 17, or 1·4 per cent., for the sixth; 14, or 1·2 per cent., for the seventh; 11, or 0·9 per cent., for the eighth; and 4·2 per cent. had been in custody more than eight times. With your permission I will give you the particulars of those that I have now elubbed together as being more than eight. Five were in custody for the ninth time; five for the 10th, six for the 11th, four for the 12th, four for the 13th, three for the 14th, three for the 15th, one for the 16th, one for the 18th, one for the 19th, one for the 20th, one for the 21st, one for the 22nd, two for the 23rd, one for the 24th, one for the 25th, one for the 30th, one for the 31st, one for the 32nd, one for the 33rd, one for the 34th, one for the 39th, one for the 40th, one for the 41st, and one for the 42nd time.

1722. After such a catalogue as that, it is clear if you struck the line at about the third offence, that would be the point at which you might deal with a person as commencing an incorrigible career?—Yes.

1723. It would not be striking the line too soon?—I think not, having regard to some limit as to time; say, within two years, or it might be extended over a longer period.

1724. As far as your knowledge goes, these people who have arrived at that condition have probably had considerable training in drink before they have arrived at that point?—Yes.

1725. Of those persons who were apprehended for drunkenness, were there any others who were drunk, although brought up on other charges?—Yes. The persons who were drunk when apprehended formed 54 per cent. of the whole number, although only 42·6 per cent. were charged with drunkenness; the others were charged with other offences, but they were drunk at the time; they were apprehended.

1726. Then, 12 per cent. of the persons actually drunk who were arrested, are not included in that list?—That is so.

1727. Have you any reason to believe that persons are in the habit of vending adulterated liquor, beer or spirits?—To a certain extent; but I am not satisfied that it is done to a great extent. I have often heard persons when taken into custody say that they have become drunk after taking only a small amount of liquor; but on inquiry, I have often found that they have had more drink than they at first admitted, or that they were in ill health, or in a very exhausted condition of body. It seems to be a fallacy amongst working men who think they ought to be able to stand the greatest amount of drink after a hard day's work.

1728. Then you think the suggestion is liable to the inference of an excuse rather than being a fact?—Yes. I have frequently heard it urged that the beer must have been bad because the men had been hard at work all the day, and had only drank so many pints.

1729. Major Walker.] You heard the statement of the last witness with regard to the increase of intoxication in his district?—Yes.

1730. Does your experience confirm that?—Not nearly to the same extent. Drunkenness has increased latterly, no doubt; but not to so great an extent as it appears to have done in the West Riding.

1731. Do you concur in what the last witness said as to the principal causes of the increase, high

high wages, and short hours?—High wages, no doubt, have something to do with it, and labour is in such excessive demand in Sheffield now that the most drunken man, if he will work at all, can get employment; and the chances are, if he gets it, he will spend the money he earns in drink. When trade is less brisk, that man might not be able to get work at all, and would not have much money to spend.

1732. Do you attribute any part of the increase to the increased vigilance of the police, as the last witness said?—I do not know.

1733. Or to the additional powers given under a recent Act?—The police in Sheffield have possessed the same powers they now possess for many years.

1734. Mr. *Akroyd*.] Do you refer to the Wine and Beer Acts in 1869 and 1870?—I refer to the 10 & 11 Victoria.

1735. Mr. *Miller*.] Under what circumstances would you give power to the police to apprehend a drunkard without a warrant?—If he was so far misconducting himself as to make himself a nuisance to people round about, I would give the police power to apprehend him, and remove him out of the street. A man or woman drunk in the street with a crowd of people round about, is a demoralising spectacle.

1736. You mean when a person is a nuisance to the police?—When he is a nuisance to anybody.

1737. From what you said the system of drunkards getting sureties is not very much in use. You say that the expense of getting the bond forfeited comes to more than it is worth?—Yes, the cost of estreating recognisances at present is considerable. But I must not be understood to say that I think the system of recognisances of no avail. I think it of very great avail; and that persons who become sureties in many instances do their best to keep the person for whom they are bound, sober and well conducted until the end of the term.

1738. They do not know the difficulty of bringing them to book?—No.

1739. Mr. *Akroyd*.] I want to clear up one point on which you seem rather at issue with Mr. Davis, that is as regards the increasing number of convictions for drunkenness in Sheffield and the West Riding. Under the Wine and Beer Acts of 1869 and 1870 you are aware that the police have greater power of entering public houses than previously?—Yes.

1740. Considering the increased powers that the police have now, and assuming that the police of Sheffield exercise those powers as in other boroughs, do you think that one cause of the increased number of convictions is due to those Acts?—It may be one case, but not the principal one.

1741. Supposing the inmates of a public house or beerhouse, or other house, were drunk and disorderly, the police could not formerly so readily enter the houses and take the people into custody?—They had always power to enter into licensed houses.

1742. Has your attention been called to the operation of the Habitual Criminals Act?—Yes.

1743. Do you believe that that Act has been efficient to some extent in dealing with habitual criminals?—I think it has been very efficient indeed.

1744. You think that special legislation dealing with habitual drunkards in a similar manner

would diminish the crime of drunkenness?—I do.

1745. You were kind enough to send me some returns showing "the per-centage of those discharged, fined, committed without fine, held to bail, &c., &c., in the undermentioned towns during the year ending 29th September 1870;" and in an accompanying letter you say, "It is noteworthy that in Portsmouth, where the largest number of persons are committed without fines, and in Sheffield, where the most are called upon for sureties to keep the peace, the offences are lowest in proportion to the inhabitants." The conclusion you would draw is, that you do not believe in the efficacy of mere fines in diminishing the amount of drunkenness?—No; I think the other system is much more efficient.

1746. The system of sureties?—Yes.

1747. Mr. *Downing*.] Do I understand you to say that the police have no power to arrest a person for being drunk in the streets?—There is no direct power; none of the Acts of Parliament, dealing with drunkenness, give power to the police to apprehend without a warrant, nor do any other acts.

1748. Suppose the police had power to arrest a person for being drunk in the street, and to take him forthwith before a magistrate to be dealt with, and the magistrate had the power to fine him any sum not exceeding 40 s., and in default to commit him to gaol for 48 hours or seven days, would that meet with your approval?—Yes: except that I would imprison for a longer period for a 40 s. penalty.

1749. If he was drunk?—I do not mean to say that if the police had the power they would apprehend every drunken man they found in the streets.

1750. If they had the power of taking a drunken man who was unable to take care of himself, or was creating some annoyance, before the magistrate to be dealt with, would not that supply very much what you want?—It is precisely what I want; but if the person had been frequently convicted I would say that the magistrate, instead of fining him, should call upon him for sureties to keep the peace.

1751. Are you aware that that is the law in Ireland?—I have been told so, but I do not know.

1752. That the police have power to arrest any man in the street for being drunk and to take him forthwith before the magistrate, who has the power of dealing with him as you say you would deal in the court of petty sessions?—Yes.

1753. You think that would be a great improvement?—Yes.

1754. Did I understand you to say that 187 persons were fined who were brought before the court for a first offence of drunkenness?—For being drunk and riotous.

1755. Do not magistrates often inflict a fine for mere drunkenness unaccompanied by something else?—Very rarely; never unless drunkenness is accompanied by something else which might or might not be what would be required by the other Act to meet the words "and riotous."

1756. You said that 46 out of 92 persons who were called upon to give security for good behaviour were unable to procure sureties; what became of those parties?—They were sent to gaol.

1757. For what time?—Three months.

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1758. In

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1758. In each case?—Yes.

1759. Had they been habitual drunkards?—Yes.

1760. Do I understand you to say that you would declare a person convicted three times of drunkenness within a given period to be an habitual drunkard by Act of Parliament?—Yes, if it was within, say, a couple of years, and he ought then to find sureties to keep the peace.

1761. And if he did not you would send him to gaol for three months?—Yes.

1762. Suppose a man to be committed for a fourth offence for three months as an habitual drunkard, then if he came out and got drunk again you would send him for three months more?—Yes.

1763. And so on during the rest of his life?—If he continued the drunkenness.

1764. You would incarcerate him for life?—I should say he would incarcerate himself.

1765. Do you think that the Legislature would give you that power?—I do not know sufficient of the Legislature, but I almost think they would.

1766. Would it not be better to provide

asylums for such persons where they could be sent for 6 or 12 months without the power of leaving?—I think so.

1767. And that they should be engaged in some industrial pursuits by which they might earn as much as would support themselves in the asylum; that would be much better than sending them to gaol?—I think it would, if there were any such establishments.

1768. Do you think they ought to be established to meet the case of habitual drunkards?—I do, certainly; I have a very strong opinion upon the subject; but I think an habitual drunkard is better in gaol than in the public streets of a large town.

1769. Mr. *W. H. Gladstone*.] You have recommended a discretionary fine up to 40*s*. Would that apply to the first offence?—I would give the magistrates power; though I do not think they would exercise it and enforce the full penalty, unless the circumstances were very aggravated.

1770. What term of imprisonment would there be in default?—A month.

Tuesday, 23rd April 1872.

MEMBERS PRESENT :

Mr. W. H. Gladstone.
Lord Claud J. Hamilton.
Mr. Henry Mitchell.
Sir H. Johnstone.

Mr. Miller.
Mr. Clare Read.
Mr. H. Samuelson.
Major Walker.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Dr. WILLIAM MACGILL, called in ; and Examined.

1771. *Chairman.*] I BELIEVE you are surgeon to the police force of the city of Glasgow?—Yes.

1772. How long have you been so?—Sixteen years.

1773. In that capacity you have witnessed the great extent of the evil of drunkenness?—Yes, I have.

1774. Be so good as to give, in your own words, the result of that experience?—I may first refer to the published reports of Captain McCall, the Chief Constable of the city of Glasgow. He has given his figures under two heads: “assaults, simple,” and “drunk and incapable,” numbering 22,438 cases taken into the police office. In addition to these there have been taken in, in the course of twelvemonths, 24,258 cases. I may state that my observation extends to about half of the numbers that I have given.

1775. Mr. Miller.] What population is that out of?—Out of a population of 490,000.

1776. *Chairman.*] You are speaking now of Glasgow proper?—The whole of Glasgow.

1777. This Return gives figures under the head of Lanark, then Glasgow, and so on?—I refer to Glasgow proper. In the central district of Glasgow, of which I have the charge, about one-half of the numbers that I have given are brought to the office, and at least three-fourths of the persons so brought are in a state of intoxication, from that of excitement to a state of narcotism.

1778. Of course you have noticed the effects of the evil upon them; will you be so good as to tell us what those evils are that you have noticed?—When I state that they have come under my own observation, I should rather say, that I have visited for the last 16 years the police office almost daily, more particularly on Saturday nights, when the numbers are very greatly increased; and about 1,000 persons annually of the number I have stated have been brought under my special notice suffering from wounds and bruises, fractures of the skull, and various other injuries, due, in at least three-fourths of the cases, to intoxication.

1779. You are now speaking of the physical effects?—I am speaking of the physical evils.

1780. How about their condition mentally; their power of self-control, and of resisting temptation?—The whole of those persons have not, of course, lost all habit of self-control, but a
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very great number of them have, and also all sense of shame and self-respect.

1781. Have you recognised amongst those who have made their appearance, persons who have been before you over and over again, in a similar condition?—A great many of those in the second list that I gave you spend their time in the police office, in prison, or in the poorhouse; some of them are 100 times in the police office in the course of the year.

1782. Of course in all those cases it is clear that the power of restraining them from drink is a power that has been lost?—Quite lost.

1783. Would you concur in the statement which we have had repeatedly made of the disastrous effects upon the families of these people?—Most disastrous. I can speak from personal observation to thousands of wretched homes these drunkards inhabit, homes without an article of furniture, their wives and families in a state of starvation or semi-starvation and destitute of clothing, and the drunkard is subject to various physical diseases, *i. e.*, diseases of the brain, the liver, the kidneys, and premature death.

1784. All tending to one point, the diminution of the value of life, and the increase of crime and poverty?—Yes.

1785. You agree in that conclusion?—Yes, most decidedly.

1786. Will you carry your agreement still farther, that the effect upon the community is to increase the police, and prison and poor rates?—Very largely.

1787. Considering the number of years that you have held office, you have seen Glasgow in various conditions of prosperity, and of depression of trade?—I have.

1788. Have you noticed any connection between that prosperity and the increase of drunkenness?—Not among that class. With regard to the second list that I gave in, if those persons can get money at all, they purchase drink with it. That is the first purchase they make out of their earnings. Of course if their means are limited, they cannot purchase to the same extent; but they will buy whisky before they will buy food for their families.

1789. Then in your opinion prosperity of trade to this class of people would mean the spending more money in drink?—It would.

1790. Have you noticed the frequency of
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insanity or nervous diseases, resulting from those habits of inebriety?—Yes, I may state in reference to insanity that during sixteen years I have had about 600 cases of insanity among that class.

1791. Have you calculated the per-centage of your cases?—I have had an average of from 30 to 40 cases annually out of about 12,000 brought before me.

1792. Of course this is a state of things which you, as well as me, desire to cease. Will you be so good as to tell the Committee what remedies have suggested themselves to you?—In reference to the drunkard himself, I think he is not dealt with severely enough. The persons in the second list I gave you are almost all discharged by the officer on duty, without being brought before the magistrate. I would have every drunkard brought before the magistrate and severely fined or imprisoned.

1793. We have received the Return from Glasgow, giving a certain number of convictions for summary offences. The drunkards that appear in the police cell do not figure at all in these returns of cases brought before the magistrates?—Not the second list.

1794. In addition to this number of convictions that we have had given us, there are thousands of drunken cases which never come before the magistrates at all?—Yes; perhaps about 20,000 that do not come before the magistrates.

1795. Sir *Harcourt Johnstone*.] In Glasgow alone?—Yes.

1796. Mr. *Miller*.] That number, I suppose, would include the same persons taken up several times?—Yes.

1797. *Chairman*.] Not 20,000 persons?—No.

1798. Then you would impose stricter penalties upon them in the shape of fine, or, as these persons are mostly impecunious, you would send them for long terms of imprisonment?—I would; and, speaking from a very minute knowledge of these people, I would like to have the law step in and take possession of their wages, appropriating them to their own use, and that of their wives and families, that is, where the habits are so decided that a man cannot keep his wages in his pocket. When he gets them, he goes directly to the public house.

1799. Are you aware of a very remarkable case in Glasgow of a woman named Mitchell?—Yes.

1800. You recollect that she was convicted and imprisoned about 80 or 100 times, and spent the best part of 15 or 18 years in undergoing sentences for drunkenness?—Yes, I know her well, and her husband too.

1801. That kind of punishment is clearly useless upon such patients as those?—I do not think that imprisonment will cure that class of people; it is more as a punishment to deter others. I think that that class of persons should be confined in reformatories.

1802. In dealing with that class of cases on which the prison, repeatedly applied, has no effect, have you any suggestion as to what is the best thing to be done with them?—I think they ought to be confined in reformatories or asylums.

1803. Have you at all considered the length of time that you would confine a person in a reformatory?—I know dozens of persons in Glasgow who would require to be confined all their lives.

1804. That would hardly be a reformatory then, but a place of detention, would it not?—Yes, I am afraid that as soon as they got out again they would do the same thing.

1805. Do you believe that there is a certain class of cases that are quite hopeless and incurable, and that it is a question for the Legislature to determine what should be done in those cases?—Yes.

1806. Putting those on one side, and going to the case of persons who, although frequently getting drunk, have not arrived at such a state of loss of control as that woman Mitchell, for instance, what would you do with them; is it to that class that you would apply the reformatories?—Yes; but even they, I think, ought to be confined for a lengthened period. My observation leads me to the conclusion that there is an intense craving with some of them, only manifested perhaps every two or three months; in some cases, every two or three weeks. They will go about their business with the greatest care and attention, and save money, and at the end of two or three months or weeks everything is dissipated, and their goods are pawned.

1807. Then you would detain them, unless other circumstances intervened to alter your judgment, long enough for the development of these recurrent attacks of craving for drink?—Yes.

1808. Then a period of from three to twelve months would not in your judgment be too long?—I do not think it would with most of that class of cases.

1809. From your connection with the criminals and with police matters, have you at all considered the possibility of making those reformatories more or less self-supporting?—I do not think that among the class I meet with in the police office they could be made self-supporting. A great many of them are worn-out individuals. I do not think they could earn sufficient to keep themselves; but perhaps taking the average, they might be made self-supporting, taking the bad with the good. Of course in the case of the better class, cases that I have met with in private practice, they could be made self-supporting.

1810. Your practice, I presume, has not been simply confined to police matters; you have often had to attend persons for drink and the effects of drink, as a private professional man?—Yes.

1811. And have you seen very much mischief of that sort in your practice?—Yes; I have seen men of large means whom I have been called upon again and again by their friends to see if I could certify them as insane, dissipating their means in the most frivolous way, purchasing goods that they had no use for, of no value, spending large sums of money in that way.

1812. For those persons you could do little or nothing but give advice, could you?—Nothing; I have been sorry again and again that I could not certify them as fit for the asylum. I had no doubt that they were morally insane, but the absence of delusions prevented me from granting a certificate of lunacy.

1813. If such establishments as that you have spoken to were established, to which a person could be sent without the formalities of a lunacy certificate, do you think you might save some at least from ultimate destruction?—I think so; I think there are a number that could be saved.

1814. Do you think their families or themselves would be willing to pay for the maintenance of those

those persons whilst there?—Yes, I am sure of that.

1815. And you believe it would be an economical proceeding?—Yes.

1816. In considering that question have you at all thought out in what way they should be controlled?—I think they should be incarcerated much in the same way as we do with the violently insane people just now. They are brought before the sheriff; evidence medical and non-medical is laid before the sheriff, and if he is satisfied he commits them to the asylum on his warrant; I think that a plan something of that sort might be carried out to prevent any evil being inflicted even upon those inebriates; and the controlling power, I presume, would be much the same as in an asylum, for a great many of these are really insane.

1817. Have you any knowledge of the effects of hard drinking upon the offspring of these people?—I cannot speak so much on that point, at least I cannot give statistics, except that I know their children are dwarfed and puny, and a great many of them are cut off in early life; they are taken into the public-houses, infants in arms, and treated by their mothers to whisky; I have had several cases brought under my notice where the children died from the mother administering whisky to them.

1818. Do you know that the drink which is sold is often largely and perniciously adulterated?—Perhaps not in the public-houses with anything deleterious; but it is adulterated to a very large extent (perhaps beneficially) with water. Shortly after the introduction of the Forbes Mackenzie Act into Glasgow, the druggists' shops were largely frequented by the intemperate; they were in the habit of drinking naphtha, and methylated spirits, methylated spirit mixed with shellac, tinctures made with spirits; that continued for a considerable time till there were one or two convictions against druggists, not very respectable ones; that has now ceased, and I have little doubt that the shebeen whiskey that is or was sold in Glasgow till within a year or two to a very large extent, was of a very deleterious character, and was the cause of so many people being brought under my notice on a Saturday night, even to the number of 20, in a state of complete narcotism, dead drunk, quite unconscious.

1819. That is not only your opinion as a professional man, but you have had that opinion backed by the police authorities from their point of view?—Yes, both from their and my own observation.

1820. Mr. W. H. Gladstone.] You have spoken of cases of craving for drink; I should like to ask whether this state is arrived at by slow degrees, beginning with a small amount of drink?—I think that in the most cases the habit grows; indeed, I am not aware of any man that rushes into it at once. The habit is so very prevalent in Glasgow, there are so many who indulge in it, that out of the large number, a considerable number develop into confirmed drunkards.

1821. In taking the class who support themselves and their families by weekly earnings, do you think that such persons addicted to drink could be advantageously placed in reformatories?—I think it would be necessary, although their families should suffer, that they should be taken care of for their own sakes and for the sake of society; but my view was, that the law should take charge of their earnings, and use them for

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the benefit of their families (there may be a difficulty in it), acting as tutor or guardian to those men who cannot disburse their own wages properly.

1822. Do you think they could earn enough to support their families?—There are some that could not: their systems are completely destroyed with alcohol. I have several just now who cannot do any work; nothing but drink, drink.

1823. It is not so easy to find remunerative labour, is it, in such an institution?—At the present time there need not be a single man idle in Glasgow, work is so plentiful.

1824. Mr. Miller.] You talk of shebeens as being at one time in Glasgow: do they not exist now?—No, they are scarcely known since the present chief constable came into power. They had a difficulty formerly in convicting. It was supposed unless they could prove a sale that they could not convict, but now they convict upon circumstantial evidence.

1825. There has been an alteration of the law?—It is not an alteration, but it is an application that the chief constable did not think would be made.

1826. Now they put that circumstance into operation?—Yes; if a place can be proved to be frequented by a number of people, and they have drinking glasses and any other circumstances that would lead them to suppose that whisky is sold, they convict, even although they cannot prove a sale.

1827. Then the shebeens, I gather from you, have been put down by the activity of the police?—Almost entirely; they scarcely exist at the present time in Glasgow.

1828. Sir Harcourt Johnstone.] Shebeens are out of sight, in cellars and all sorts of out-of-the-way places?—Some of them were very large places; I have been in some of them where there were 30 or 40 people assembled. Now they are confined to single apartments, and the shebeening is done, though to a very small extent, by having a bottle with them and selling it on the stairs, and in the streets. I think it is almost completely abolished now.

1829. Since the Forbes Mackenzie Act, has there been much illicit drinking?—There was an enormous quantity immediately after the passing of the Forbes Mackenzie Act.

1830. What has put a stop to it?—The activity of the police.

1831. You think that has been thoroughly successful?—Yes.

1832. What do the Glasgow people do on the Sabbath day; do not they manage their drinking somehow or other?—Glasgow I think on the Sabbath day is about one of the quietest places that I know.

1833. Before the Forbes Mackenzie Act was it so?—Before the Act drinking was carried on to a very great extent.

1834. I suppose they now drink on Saturday afternoon and Monday instead?—The poorer class that I speak of generally finish their money on Saturday night; but if they have any left on Monday they continue it, and do not go to their work.

1835. That is a great day for drinking for the working classes in Glasgow, as in other places, is it not? There is abstinence from working, and indulgence in drink?—On Saturdays and holidays, and on the occasion of trips down the water, drinking is carried on to a very great extent

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extent among the more respectable artisans ; they do not however often come under our notice in the police office.

1836. Mr. *Clare Read.*] There are trips down the water on Sunday in Glasgow?—Yes ; there are two or three boats that go down ; I cannot speak with regard to them ; I speak of eases where men have a holiday, and go out with their wives and families and sweethearts ; it is quite notorious that in many instances, those excursions, instead of being beneficial, become a curse, from the quantities of whisky consumed, and the acts of violence that follow.

1837. Do the people that cannot get drink in Glasgow on Sundays go out anywhere else to obtain it?—Yes ; but they cannot very well get it unless they state that they are *bonâ fide* travellers ; they do not readily get it now ; they used to get it by going two or three miles out of town, but I think the authorities in the suburbs punish the publican so severely that there is not much of that done ; but in the hotels in Glasgow drinking is carried on to a very great extent.

1838. Do you think that drunkenness is on the increase in Glasgow?—It is not on the decrease ; I do not know that it is on the increase.

1839. Is it confined to any particular class?—It prevails, I think, among such persons as lumpers, quay labourers, labourers in iron yards (of which we have a very large number), cabmen, shoemakers, and tailors, who are very drunken as a class ; but with the better class of artisans, engineers, joiners, masons, drunkenness is less common, as a class I cannot say that they are drunken.

1840. What is the nature of the drink principally consumed in Glasgow, is it beer or spirits?—Whisky.

1841. You have not much drunkenness from beer?—Not much.

1842. Major *Walker.*] You stated that the authorities in Glasgow have been successful in almost entirely repressing the shebeens?—Yes.

1843. And yet you do not trace as a result of that any diminution whatever in the amount of traffic, as far as I understood you to say?—Well, on the Sabbath days there is a diminution now ; it is very quiet on Sabbath days.

1844. You do not think that the diminution is more than made up for by additional drinking on the Monday ; you think it is a clear gain that there is one sober day in the week now?—Yes.

1845. That is clear gain?—Yes.

1846. Though the shebeens have been done away with there is still an immense number of public houses and hotels in Glasgow?—A very large number ; there are 1,819, or one to every 274 of the population, or 55 families.

1847. Mr. *Miller.*] Does that include hotels?—That includes hotels.

1848. Major *Walker.*] If I were to ask you what you thought was the first and great thing to do to grapple with this evil of drunkenness in Glasgow, would your answer be, as far as possible to diminish the number of public houses ; should you consider that the first step to take?—Yes ; I would reduce them very largely. There are some places in Glasgow where there are six public houses within about 30 yards.

1849. The effect produced by that probably would be much greater upon the general drinking habits of the population of Glasgow than any merely curative process that you could attempt by means of reformatories?—That is one of the

remedies that strikes me as being desirable. In the central district of the city there is a public house for about every 165 of the population, or every 35 families.

1850. That does not allow for numbers of people who lodge in the suburbs and go into the central parts ; you must make some allowance for them?—Yes.

1851. You would probably recommend, in addition to the reduction of the number of drinking places, much more strict regulations as to the hours at which they are to be kept open, and probably regulations as to punishing them in case of their allowing people to get drunk on the premises ; would you recommend a stricter police supervision over the establishments allowed to exist?—Yes ; I think much benefit would be gained by a stricter supervision in that way.

1852. Coupled with deprivation of licenses for breach of such regulations?—Yes, I think also the hours should be reduced ; they are now from 8 in the morning till 11 at night ; I think we could, with much benefit, reduce them from 8 till 9 or 10, closing not later than 10.

1853. There are some exceptional trades that would require them perhaps to be opened earlier, for men who have to work all night ; it is so stated in London?—I think those exceptions would be so very rare that it would not injure any particular individual.

1854. At what hour do you suggest an alteration in the time of closing?—Not later than 10 o'clock ; every working man should be in his bed by that time. There was another remedy that struck me, if it could be carried out, namely, to insist upon publicans selling refreshments, food ; I would like to see whisky altogether done away with, except as a medicine, or at all events that it should only be sold in very small quantities, for I think it is the whisky in Scotland that has such an injurious effect. At any rate, I think it would be well to insist that all common public-houses should sell refreshments, food and other things. I have no doubt that a great many of our tradesmen, when they go home from their work, having no food in their stomach, a very little whisky upsets them ; it acts speedily upon the nervous system.

1855. *Chairman.*] You were asked whether people in reformatories could earn sufficient to support them or to contribute to the support of their families ; what is the condition of the families of those who are habitual drunkards now ; is it good or bad?—Where it is the male that is the drunkard the families are most wretched ; in some cases it is the female, as in Mrs. Mitchell's case ; her husband is a respectable tradesman. Generally it is the male that is the drunkard, and the families are then in a wretched condition.

1856. Then if a man were sentenced to a period of detention in a reformatory instead of detention in a jail, the condition of the family left behind would not be much worse in the one case than the other?—I think not ; indeed it is a very frequent statement by the families in these cases, that they would be better without the husband.

1857. You spoke of a class of people in whom drunkenness is most frequent, lumpers, and so forth ; is there no hard drinking or drunkenness amongst the upper classes in Glasgow?—I do not think so ; I think wines are more commonly used by them ; there is certainly a great deal of drinking during the day, in what we call restaurants, but it is a glass of beer, or half-a-glass of brandy

brandy and sandwiches; they take food with it, and then they go home for dinner at six o'clock; I do not think there is so much drinking of whisky or brandy, or of strong alcoholic drink, among the middle and upper classes.

1858. Is Glasgow punch abandoned as an institution in that part of the world?—You rarely see Glasgow punch.

1859. You spoke of the Sabbath being very much better kept in the way of sobriety than it used to be?—Yes.

1860. Is there much home drinking going on on the Sabbath; do persons take the liquor home with them and drink it at home on the Sabbath-day?—There is, to some extent, and I believe it would be to a greater extent if they had the means; but they are not provident enough to save anything to take home a bottle; it is a very common thing in emptying the pockets of people brought into the office, to find a bottle of whisky.

1861. *Mr. Miller.*] In reference to the steam-

boats on the Clyde, do you know whether intoxicating liquor is sold on those boats on Sunday?—I believe they do sell intoxicating drinks.

1862. People evade the Mackenzie Act by going on board?—I do not know whether they obtain a license or not. Those who go on board are *bonâ fide* travellers, and are entitled to refreshments.

1863. You know that they do sell?—Yes, I have been told so; but I never was on board one of them.

1864. *Sir Harcourt Johnstone.*] Do you know some places in Glasgow that are not only shebeens, but coffee-rooms and brothels at the same time?—Yes; there are a number of these places.

1865. Have the police cleared any of these out?—Yes, they have; they punish them very severely.

1866. They still exist?—Yes, they still exist; but the fine is very heavy, so the people act with great caution.

Dr. THOMAS BEATH CHRISTIE called in; and Examined.

1867. *Chairman.*] I BELIEVE you are a superintendent of insane officers and soldiers connected with the Indian Army at Ealing?—I am.

1868. How long have you held that position?—About eighteen months in that position. Previously I was engaged as the superintendent when the officers and soldiers were placed out in a private establishment. I had charge of it for about 16 or 17 years, so that I believe I have been connected with them, with the exception of an interval of 4½ years (during which time I was superintendent of the North Riding of Yorkshire Lunatic Asylum), something like 20 years.

1869. Were you ever at Yarmouth in charge of an insane asylum there?—No, they are separate. The Imperial Army and the Indian Army are kept quite separate.

1870. Will you have the kindness to give us the independent results of your own observation upon intemperance as an exciting cause of insanity?—I have taken the returns in the cases sent home from India for about twenty-four years, and I find they average 19 to 21 per cent.; but I am inclined to think that is really and truly under the average. A large per-centage are given as “cause unknown.” As regards a soldier, he is never looked upon as intemperate so long as he keeps from the defaulter’s book; that really means that so long as he can go to bed without making a row he is not reported. The result is, that in the medical returns as sent home, a man is put down as a temperate man, whereas he really and truly might have been a most intemperate one, only he manages to be quiet instead of noisy. I believe it is quite the rule. I do not think there is an exception; that if a man goes to bed quiet, he is not to be considered drunk. I am quite satisfied in a number of these cases which are given as “cause unknown,” from the character of the case that there has been intemperance.

1871. You think that the friends of the parties where the investigation takes place, try to conceal the fact of intemperance having been at the bottom of it?—Yes, in all grades of society that is the case.

1872. Is the form of intemperance peculiar in

these men from India; is there any particular article with which they intoxicate themselves?—In India I believe it is arrack; it is a raw spirit procurable by the soldiers.

1873. Is that a bad spirit?—A very common spirit, and very unwholesome.

1874. Are there many soldiers who, without getting into the defaulter’s book, are nevertheless constantly in a state more or less of drink, never quite sober?—I do not think there is a doubt about it.

1875. Not drunk?—Not drunk.

1876. Of course amongst the causes of insanity which have come to your notice, cerebral congestion or *coup de soleil* is not an infrequent one?—Very frequent.

1877. Do you think that is connected also with habits of drinking?—I am inclined to think in many cases that are put down as *coup de soleil* or heat-apoplexy, drinking has been the exciting cause of the *coup de soleil*. They have been partially intoxicated, and then have not taken that care which a man would naturally take of himself not to be exposed too much to the sun.

1878. Would that act by causing a man to expose himself to the rays of the sun in a manner which he would not do if he were quite sober?—Yes; it would make him less careful of being exposed.

1879. Liquor, I believe, is very cheap in India?—Very.

1880. Have post-mortem examinations of men coming from India exhibited the effects of heavy drinking to any extent?—Certainly, the liver as a rule exhibits that; it produces what we medical men understand by a nutmeg appearance.

1881. Is that Indian liver augmented by drink, or is it the result of the climate purely?—It is certainly augmented by drink. A man that is careful in India, as far as my experience goes, keeps his health and lives as well as in any other climate.

1882. Have you been in India yourself?—I have not.

1883. Have a fair proportion of the cases of insanity which have come under your notice, recovered?—Not those coming from India, for by the

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the time they reach England the disease has frequently become confirmed.

1884. The cases which come under your charge are much more for detention than cure?—Exactly.

1885. Having been brought in contact with this subject for so long a time have you turned your thoughts to any method of diminishing this great evil?—Yes, I have. In the year 1868 I embodied a small paragraph in my Report, calling attention to the fact that my experience at York was, that among the males of that area, and I went carefully into the cases, no less than 48 per cent. were returned to me as having become insane through drink, and five per cent. only of females in a total admission of about 150 cases. From observation I was led to conclude that it was utterly useless to fine a drunken man and send him adrift again, but I felt convinced that hospitals for their cure might be established.

1886. Is it not the fact that of late years fines and stoppages for drunkenness have become much more frequent in the army, as a method of checking drunkenness?—Yes, it has; but a soldier does not mind much about them.

1887. Supposing these establishments such as you speak of were adopted, in what way would you propose to admit persons?—I propose that a proper inquiry should take place before any person was sent to one of these institutions, in the same way as is done in the Court of Chancery when an insane person has property; so that no one might be improperly sent. I would have evidence called, and have it established beyond doubt that the person was an habitual drunkard; then I would make his detention compulsory and for a certain period.

1888. Are you acquainted with the action of interdiction in Canada; do you know the working of it?—I do not, personally.

1889. But you would have the procedure public?—Certainly.

1890. And independent of the parties seeking to place a person under detention?—Quite independent of them.

1891. From your knowledge of insane people, and their position, do you believe that a class of these reformatories might be established that would be self-supporting; take, for instance, the class of officers and their connections, do you think they would pay sufficiently to support an establishment of this sort?—I do not see why they should not be made self-supporting so far as regards the paying class exactly as a lunatic asylum is made so now.

1892. Asylums established for inebriates would pay in the same way as private asylums for insane people pay now?—Exactly.

1893. You would have those asylums inspected from time to time?—Constantly inspected in the same way that a lunatic asylum or a jail is inspected now.

1894. Do you think that inspection would be effectually carried out by a committee formed in the neighbourhood, or would you have inspection by a Government inspector?—I would have a Government inspector.

1895. You would certainly admit of compulsory detention when once a party had entered one of these establishments?—Certainly, I should not admit a voluntary detention at all; but have it compulsory under all circumstances.

1896. Would you allow of a voluntary admission at the same time that a power of detention

was conferred?—I should have no objection to voluntary admission, provided there was a compulsory detention afterwards.

1897. But you believe that if voluntary discharge and voluntary admission were combined it would utterly fail?—It has failed hitherto wherever tried.

1898. Then it would be necessary in order to make this legal, to define habitual drunkenness?—Exactly.

1899. Have you considered how to do that?—There are two classes, in my opinion, that might come under the class of habitual drunkard; the one who is never exactly drunk, but always upon the verge of it, and gradually diminishing his property, and bringing his children to the poorhouse; and the other who is never sober.

1900. Allow me to call your attention to a definition from the Habitual Drunkards' Act of the province of Quebec: "Persons who have heretofore, on many occasions, been the cause of ruin to their families, of grievous injury as well to their relatives as to their creditors." Then follows this: "That such habitual drunkard either squanders his property, mismanages his property, places his family in trouble or distress, or transacts his business prejudicially to the interests of his family or his creditors, or that he uses intoxicating liquors to such an extent as to increase the danger of ruining his health, and shortening his life thereby?"—I quite approve of that.

1901. Mr. W. H. Gladstone.] You have mentioned two classes of drunkards; do you think that such legislation would be applicable to the second of those two classes?—The second class are those that are habitually drunk. The one class I spoke of are never what is ordinarily meant by drunk, at the same time you could not call them exactly sober; they are constantly drinking, always on the verge of delirium tremens. I have had cases under my observation that have gone to that extent. One case that made a very great impression on my mind was that of a gentleman I was sent for to see; he was never known to be drunk, but in three days he died of delirium tremens. He was always taking small drops from the very first thing in the morning till the last thing at night; yet he went to business, and was not known to be drunk. That is one of those cases that I think would fairly come under the term of an "habitual drunkard," because he was gradually bringing himself and his family to ruin.

1902. You think that both classes might be liable to detention?—Certainly, although those that are never drunk have more hope of success in treatment than, perhaps, those that are continually drunk.

1903. Should you place a drunkard in a reformatory for the sake of checking the habit as a vice simply, or rather with the object of averting the possible result of downright lunacy?—I should look to an ultimate cure of the patient, and also to the saving him from going on, as I have expressed before, either to the gaol or to the poorhouse; and I am inclined to think that it would be an act of economy on the part of the State, in many of those cases, to take care of them, because I look upon drunkenness most assuredly as an hereditary disease. A drunken father will certainly beget a drunken son.

1904. Do you think that such legislation would be widely applicable to the working classes, or more to the well-to-do classes?—I think it might be

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be applicable to both. I am inclined to think that the man who now drinks, among the working classes, brings his family and himself to the poor-house; in many instances you would avert that, and it would be an act of economy to the State. I am now putting out of view altogether whether his labour would be worth anything.

1905. Have you considered how you could define the line at which a man would render himself liable to detention?—In all these cases that are constantly being brought before the magistrates and fined, I would lay it down that if the man was brought before the magistrate more than a certain number of times he should be deemed an habitual drunkard.

1906. Sir *H. Johnstone*.] With regard to the methods you would adopt, amongst others, no doubt you would advocate that system of field work practised so successfully at York?—Yes; as much outdoor employment as could be got.

1907. You find work both for mind and body?—Yes; I would keep them employed as much as possible; that I would use as a curative agent.

1908. You are aware that at Castle Howard Reformatory that has been practised with adult criminals with very great success?—Yes.

1909. And has almost paid for its maintenance, with the exception of a few voluntary contributions?—That depends upon how you calculate maintenance; if you add interest upon capital for first expenditure upon buildings, I doubt very much whether it does pay.

1910. In that case the State or the county or the local body would have to provide the buildings?—I think the actual cost of food would be covered by the work.

1911. Would there be any margin for supporting the wife and family besides. Suppose you were in the neighbourhood of a large town, where you could supply milk or vegetables at town rates, and you could go into field-work profitably, do you think it would be possible to make field labour pay not only for the maintenance of the habitual drunkard himself, but also for the support of his wife and family. Have you thought of that?—I have thought that over; but the question that occurs to me there, is whether the expense of looking after the man and preventing his escape would not cost as much as he would earn. In lunatic asylums the labour of the lunatic is worth very little, from the fact that it costs so much to look after the labour.

1912. Constant supervision being required?—Constant supervision; but then it is a great curative agent, so that indirectly it pays for itself.

1913. Can you form any idea of what number of months it would be desirable to detain these men who are habitually drunk; would you give them less than three months to bring them into a better state of mind?—I may startle the Committee, but I am inclined to think that unless you confined a man three years, it would be very little use; that is my experience, and I have had a great many under my care.

1914. Have you had many of that type requiring three years' treatment?—I have never yet really cured any one, from the fact that I could never keep them without drink for that time. I have kept patients for twelve months, and they have gone on very well; then their friends have thought that they might do very well by themselves, and they have broken out again.

1915. Have you had them come back to you

again very often?—Yes, I have known them come under treatment again constantly. Cases of insanity produced by drink will occur over and over again.

1916. Would it not be desirable for the law to step in and say that people suffering under that particular form should be confined until they were cured?—Certainly.

1917. What method do you adopt with patients who come back from India suffering as habitual drunkards. Have you been successful in effecting any cures?—Some of them have left, and I have not been able to trace them so as to know whether they have remained permanently well; but many have been discharged cured.

1918. In the course of your treatment, do you subject the patients to total abstinence, or do you let them down by degrees?—That depends upon the state of physical health. In some cases you must continue a certain amount of stimulants for a time, but in other cases there is no necessity for that. You make up for it by an increased amount of food.

1919. Animal food?—Animal food.

1920. Mr. *Clare Read*.] You do not believe in the statement that has been made to the Committee that it is possible to cure an habitual drunkard in three months?—I have never known of such a case, and I should very much question whether such a case could occur. I do not think the desire for drink would have died out in that time. I believe that after a lengthened abstinence there is a nausea for drink created; a feeling of abhorrence towards it; but after a short time I do not think so. I think there is a craving for a certain period.

1921. Mr. *Mitchell Henry*.] You have made many post-mortem examinations of the insane?—Yes.

1922. Are you aware that it has been stated in this Committee that the fluid in the ventricles of the brain can be lighted or set on fire in the case of habitual drunkards?—I have never tried it.

1923. Do you believe it?—I should be very chary of believing that; but I could not contradict it; I confess I should question it.

1924. *Chairman*.] There is a certain class of cases ending in cerebral disease and permanent insanity?—Yes.

1925. There is no objection, I presume, in your opinion, to such persons becoming inmates of an asylum, like any other insane persons?—Certainly not.

1926. But your objection would be to place those persons who are merely under the influence of drink under the same rules as insane persons?—I should object to mix them; I think it would have a deteriorating effect upon those who were not insane.

1927. Would it produce an evil effect upon both parties?—I doubt if it would have any evil effect upon the insane; perhaps the contrary.

1928. Is it not the fact that habitual drunkards are mischievous, ingenious, intriguing, and very apt to make bad blood?—It is often a very difficult thing to say whether a person is insane or not.

1929. Is it not true that many forms of insanity require a highly stimulating diet which would be decidedly injurious to men habitually given to drink?—Certainly.

1930. And upon as low a ground as that you would separate them?—Yes.

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1931. *Chairman.*] I BELIEVE you are a Surgeon, residing at Watlington, in Oxfordshire—? I am.

1932. You are also coroner for the district of South Oxfordshire?—Yes.

1933. I believe you have been engaged for a series of years in taking charge of inebriates?—I have.

1934. For how long?—Ten years.

1935. Have you had charge of them in a private asylum?—Mine has been simply a home for them, where they have lived as members of our own family.

1936. Is it a public or a private establishment?—A private home.

1937. These persons come there simply of their own accord, or by the persuasion or entreaties of their friends?—They must be willing of their own part to come, so far as I can judge.

1938. They come without any certificates, or any legal formality?—Yes, but it is required that they should be desirous to come and reform.

1939. Without intruding upon your affairs, I believe the social position of these persons is such as to enable them to pay for coming?—Yes, to pay well.

1940. And you receive only those who do pay?—That is so.

1941. Do you classify them?—I have had but one class, that is the class of what may be called paroxysmal or periodic drinkers.

1942. How many have you had under your care at one time?—I have never received more than three at one time in my house.

1943. Have you had any difficulty with them in keeping them under your care?—None, with two exceptions. They have been very tractable indeed, and observant of the rules of the house.

1944. Have they been content to stay with you as long as you thought it was needful for them to stay?—More content sometimes than I was to keep them.

1945. You never had occasion to turn the key upon them, and to say, "If you go out you will get drunk, therefore you shall not go"?—Well, I have exercised just that authority, taking their hat and shoes away, for instance.

1946. And you have found that sufficient to keep them in?—Quite so; there has been no difficulty whatever.

1947. Supposing you had charge of an establishment, containing, instead of three, say, thirty persons; do you think you could wield authority over them unless you had the power to say, "You are not fit to go out, therefore you shall not go"?—No; there should be such establishments to fall back upon; still I should like to be engaged as I am.

1948. In the event of there being a large number more than would be suitable to an ordinary family, should you consider it necessary to classify the patients?—Not at all.

1949. Do you in any way classify drunkards?—I have no scientific classification; but as an ordinary observer I should speak of them as the habitual continuous drunkard, and the habitual periodic drunkard; they are very distinct classes, and they admit of subdivisions.

1950. Have any of those whom you have had under your care become absolutely insane?—No; just for the time being there appeared to be

in one case a peculiar irritation of the brain, and in that case it was on account of the patient going out and getting drink to a great extent; where I have had them thoroughly under my control, and they have taken no drink from the moment of coming into the house, although they have been habitual drinkers for 30 years, they have entirely given it up.

1951. In your treatment have you prohibited all drinking?—Entirely; from the moment of their coming in, and I have never seen reason to regret it.

1952. You have seen no ill effect from the sudden stoppage?—On the contrary, the greatest benefit; of course there is a great deal of trouble with them for the first three or four days; I could get out of that trouble by giving them drink, but I persist in refusing it, and then they calm down, and we have no further trouble with them.

1953. Have you formed an opinion, or have you tabulated in any way the causes of excessive drinking?—It is an induced condition of things; we differ in constitution very remarkably, and a drug that will affect one person very peculiarly will not affect another; it is so with alcohol; I take it that many men who habitually take intoxicating drink, but are moderate men, are not so from any higher degree of morality than the man who takes drink in excess; it is a peculiarity in the constitution thoroughly induced by the alcohol itself.

1954. The cases that have been under your care have not been all cured?—No, indeed.

1955. Would you tell us to what you attribute the want of success in those cases that have not been cured?—In the first instance, they have been too long habituated to it before they come under treatment; then they do not remain sufficiently long; and when they leave, instead of being subject to the same kind of advice, their friends are apt to say that moderation is the best; "if you take a little it will do you no harm," judging from their own experience, and not knowing anything of the experience of these poor creatures.

1956. You are aware that we are considering not what may be done within the limits of a private family, but how far the treatment of inebriates upon a large scale may be extended to society; will you favour the Committee with any views that you may have formed as to the course that legislation should take?—I think there would be a greater chance of the system now adopted being successful, if there was something to fall back upon in the way of legislative action; that is, if there were places where such persons could be compelled to go and be subject to a very severe discipline. I believe that would give support to the institutions now in action. In the great majority of cases (I speak from a constant communication with persons of this very class) there is an absence of will on their part. What is wanted is something to bring out a higher will than the appetite, and that that can be done we are quite sure. Anything that would back up the present system of things, would be a great help to us. I would rather continue the system that I adopt now; but I should feel a great support in knowing that if the patients did not conduct themselves well, they would have to be handed over to the authorities. I would ask further

further that there should be some ready way in which a man who is confirmed in habits of this kind may be got rid of. The anxious inquiries that are made and the way in which one is constantly asked to receive such persons into one's house, show that there is a want of some place of refuge for them. In some cases, if they could have a guardian or attendant, they might go through their work very well. They want a master mind with them, and then they could go through with a professional life or a business life successfully.

1957. Then you believe in the utility of finding this class of persons, no matter what their station in life may be, some occupation that is congenial and abundant?—Yes; there is where I feel at a loss in a private house; my patients go about with me; I travel over a large district and I always have them with me, and endeavour to occupy them in any way I can; they will often go messages for me; indeed they are the kindest and best disposed persons I have to deal with in that way.

1958. Does your experience lead you to believe that many of the most intellectual and clever are those who have been given to drink?—I have had some of the most intellectual men under my care that it has been my good fortune to meet; very excellent men.

1959. You have only spoken of the treatment of those who can afford to pay for themselves, or who have friends to pay for them; have you considered what can be done for those who are not in that fortunate condition of life?—I cannot say that I see that so readily.

1960. Have you, in your position as coroner come in contact with cases of death and injury resulting from drink?—Very frequently; out of 200 inquests I find there have been 72 deaths by accident, and of these 72, I think, 34 have been directly connected with drink; burning, falling into the water, or some accident of that kind.

1961. Supposing that establishments like yours, only upon a larger scale, were to exist throughout the country, would you have them inspected?—Decidedly.

1962. By whom?—That is a matter I do not feel quite competent to give an opinion about. A Government inspector, as has been suggested by Dr. Christie, would perhaps be desirable.

1963. Would you prefer a Government inspector appointed from some central locality, or a local body composed of independent persons, magistrates and others, to form an inspecting committee?—I have scarcely an opinion to offer upon that. I do not know that my opinion would be at all valuable; I have not considered it sufficiently.

1964. Have you had more applications than you knew how to meet?—Very many more. If I had a house as big as the town I live in I could have filled it.

1965. You have no doubt that if the law enabled such places to be established upon a larger scale, that they could be made to pay their way as a mere financial speculation?—Yes; they are only wanted to be established.

1966. Mr. *W. H. Gladstone*.] How would you work out your view of checking the vice of drunkenness by detention; at what stage would you step in?—As early as possible. I would say, first of all let them be sent to an establishment like my own, or a larger one would perhaps be still better. I thought that a home such as mine,

where they would mix with one's family and bear nothing of the impress of the drunkard about them, would be useful, and so it is. It is eminently successful for the time being, but as I have said they are not detained long enough. The great thing is to remove them from the existing cause; I look upon the drink as the exciting cause, I do not go deeper than that. Take them away from the exciting cause and they are well, but how long they should be taken I am not competent, perhaps, to say. The only thoroughly successful case that I had was a lady, who was with me three years.

1967. You say as early as possible; you would not take a man who had been convicted once?—I am not speaking about such cases. My advice is that they should be taken as early as possible, because when they get habituated to the drink the cure is much more difficult, and a longer detention is rendered necessary.

1968. You have spoken of cases where there is something in the constitution?—I believe it is a peculiarity of constitution which causes the difference in the effect of drink in different persons. There are many who pass as sober men who drink much more than some of those who are periodical drinkers.

1969. You have been speaking of the well-to-do classes?—Yes; a very large class of persons.

1970. It is with reference to them that you think such institutions could be made self-supporting?—Decidedly.

1971. But you do not think that legislation could deal so successfully with the vice of drunkenness as we see it in the working classes, by personal detention?—I believe the same cause must operate upon all, seeing that the exciting cause is the same. Take away the stimulants, and that for some length of time, put upon them some penalty, that is, that they should not be allowed to go away from those institutions without finding sureties for good conduct, and a very beneficial effect would be produced.

1972. Mr. *M. Henry*.] I understood you to say that you have had experience for ten years?—Yes.

1973. And you have never had more than three patients at a time?—No.

1974. Have you any objection to state how many persons you have had altogether?—Twenty.

1975. Partly males and partly females?—Yes.

1976. From all parts of the country?—Yes; I may say mostly from the metropolis.

1977. Have you any rules on their entering your house as to the length of time they shall be compelled to remain?—None whatever. I encourage them to get out of it as quickly as they can, and return to their homes and families.

1978. What is the shortest time that has been satisfactory to yourself?—The worst case I ever had came voluntarily to me. He was a gentleman of independent means, living in a fashionable part of London; he had been a drinker ever since he was 20, and he was then 53. He had been in the habit of drinking a bottle of brandy daily, with other liquors. It was his wish to come. His physician in London, knowing that I took such cases, asked if I would undertake the charge. He said, "You had better come and see him; it is an awful case, and I do not think you will undertake it." I came to London, I saw him, and I took him into the country with me. He could not walk from the carriage to the bed,

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bed, and when he was placed in bed he could not lie there from the tetanic spasms which threw him off; for three or four days I had great trouble with him. In three weeks time he left my house, and the man who could not walk upstairs when he came, in three weeks came downstairs carrying a heavy portmanteau. He did it to show me what a different man he was; that was a most remarkable case. The patient was not induced by any other feeling than his own; he wished to get rid of this habit, but he was afraid unless he was constantly under the eye of a medical man.

1879. You say he only remained three weeks?—Yes.

1880. Was he cured afterwards?—I only know his history for three months; he was then drinking what he drank when he left me, soda water and milk.

1881. That was sometime ago?—Two years ago; I know nothing of him since.

1882. Although the case was so remarkable, you have not felt sufficient interest to trace the history?—I heard that he had been going out and taking a little wine, but I have not heard anything since as to whether he had gone to any excesses.

1883. Was he a person of independent means?—He was a very rich man.

1884. Of no profession?—Of no profession.

1885. That is the shortest time that anybody has been with you?—That is the shortest time.

1886. You mentioned a lady who was with you three years. I think I understood you to say that that was the only satisfactory case of cure that you could mention?—Yes. Some I have lost sight of, and they may or may not be satisfactorily cured. The only case I can speak of with positive knowledge is that of this lady.

1887. With regard to your eighteen other patients, can you tell us what has been the average time they have remained with you?—The average time would be six months; some have stayed three months, some longer; none longer than a year, except the one I have spoken of.

1888. I understood you to say that they stayed sometimes, or wished to stay, longer than you desired to keep them?—Yes; as I was reaping a benefit from their staying with me, and their family was wishing to have them back, my wish has been for them to return, but they have come back to me once or twice. One patient returned to my house last night, who comes back for the third time of his own accord.

1889. How many of these patients do you know the history of after leaving your house?—I know the history of most of them, and I know that they have relapsed.

1890. They do relapse?—Decidedly; there is not enough to bring out that will which is wanting to counteract the strong desire. There is a strong desire, and a very weak moral will.

1891. Is the lady whom you mentioned as having been with you three years still with you?—No, she is living away. We communicate with her, and hear from her constantly.

1892. She is cured?—Thoroughly. In fact she is a great advocate for the system being adopted by others that she adopted for herself.

1893. Is your opinion the same as that of the last witness, who said that he did not believe that less than three years' detention would prove effectual?—My experience is not sufficiently extensive to enable me to speak very authoritatively. I will give you such experience as I have; that

would certainly tend to show that three years was better than three months.

1894. What is your opinion as to the power of detaining for three months persons in the lower classes of life, habitual drunkards; I mean as regards the curative effect?—I think if there was a legal pressure put upon them, if they knew that they would be sent back to these establishments, where they would be subjected to a rigid discipline, it would have a very good effect. We do not know what the results would be, for it has never been tried, but I have a strong belief that if such institutions were established, they would exert a power over their will which is now wasted. That is my impression; knowing the penalties to which they would be liable, a shorter time would be required than in cases where they know it is optional whether they go or stay.

1895. Have any of your patients left you against your will, when you thought that their doing so was not for their own benefit?—Yes.

1896. Suppose you had received them under the authority of some commissioner or board, and had had the power on receiving them of detaining them, although they came voluntarily, do you think that that would be a useful power?—I should then have detained them with greater hope of success, certainly.

1897. Have the Commissioners of Lunacy ever interfered in any way with your establishment?—No.

1898. Have they made any inquiries?—They have made no inquiries, nor would they have any authority to interfere.

1899. Are you aware of any other institutions of the same kind as your own?—No, not where persons are taken into the family, where all that has happened is taken no notice of, and they are treated as ladies and gentlemen.

2000. You have said that they would go errands for you, and so on. Do you allow them to go alone?—Yes.

2001. They giving an honourable pledge?—Yes, and with two exceptions, it has been most faithfully kept.

2002. Mr. Miller.] I understand that your experience in one case has led you to believe that three years would effect a cure?—I can scarcely say that I should base any opinion upon that; I merely state it as a fact. We have not had the advantage of trying the effect of the power of compulsion; that has yet to be tried; I should try it with a reasonable hope of success; I think it would be a great backing up to establishments like my own, if it were known that if they lapsed again they would not be received back into a house like mine, but go to such an establishment as I have indicated.

2003. And be put under restraint?—Yes.

2004. What is the age of the lady of whom you spoke?—Ladies are rather reluctant to tell their age, but I should guess about 45.

2005. Had she long been given to the habit of drinking?—Yes, and under medical prescription, unfortunately, before she came to me.

2006. Mr. Clare Read.] I suppose habitual drinking is not confined either to sex or age?—Not at all.

2007. Nor yet to any class?—Nor to any class.

2008. I think you said you had had some experience with the educated classes. Have you any university men?—I have had graduates of universities living with me.

2009. Any distinguished scholars?—Very distinguished;

tinguished; one was a great mathematician; I understand that that is uncommon; that mathematicians do not drink to excess; they calculate better without it, but in this case he did not calculate so well. He was a great classic as well; perhaps that neutralised the mathematics. I have a gentleman with me now who took honours at the Dublin University.

2010. I think you roughly classed these habitual drinkers into periodic and constant?—Yes, continuous, always sipping, but never drunk.

2011. Which is the most difficult to cure?—The periodic drinkers; many of the others are induced to join temperance societies; but we rarely get one of these periodic drinkers to join them.

2012. These men who have periodic fits of tipling are the most troublesome to cure?—Certainly, and yet they are most desirous of being cured, strange to say. The others do not see the evil; these do, and strive against it very manfully in many cases, but the drink which they are induced to take, under the idea that they may now take it in moderation, always proves too much for them; it is not the quantity, but they are so easily affected.

2013. Do these men go wrong all at once, or is the habit a gradual one?—I think it is the alcohol acting on peculiar constitutions that produces the class of persons I am speaking of.

2014. Is it in any way inherited, do you think?—I should be slow to speak as to that; I have not made it out clearly; I have known some of the most sober persons from most drunken parents.

2015. I think you said it would be a very good thing if a man living in a home like yours were bound to find sureties for good behaviour?—Yes, sureties who should have the power to replace him where he came from, on his breaking out.

2016. Those sureties would be his intimate friends?—He would not find any others to stand for him.

2017. You think that would have a deterrent effect?—It would bring friends to his aid, at all events, and that is what is wanted: help and counsel. As long as such persons are with you, and have that help and counsel, they do well.

2018. You think that these men are better treated as members of a family than being sent into the best regulated asylum, in the first instance?—That is my impression; I do not know whether it is a correct one or not. I have seen a statement that aggregation of cases is beneficial, that they help one another.

2019. Help one another to reform?—Yes; and certainly I have found that to be the case with those whom I have had with me. Even two will get together and form a friendship, talk the matter over with one another, and come to an agreement.

2020. Do you live in quite a rural part of the country?—Quite so.

2021. Has your attention been turned to the subject of drunkenness in rural districts; do you think it is on the increase at all?—Not with us. We have the usual Saturday night revelling; that is about all. I remember the place 23 years. When I first went there there was nothing but fighting and drunken scenes in the streets, a rare thing to see now: but there are plenty of public houses.

2022. Do you think that the law, as it at present stands, with regard to the punishment of drunkards, particularly in rural districts, is satis-

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factory?—I think fining is a bad mode of punishment, simply because it inflicts additional injury upon the family that is suffering already from the drunken husband and father. I think the better way would be to shame them. If they know there was some shameful process they had to go through, the will would be exerted which is wanted in these cases, the will to resist. For that purpose, I would have them put into an iron cage, or exposed in some public place in the stocks, or something of that kind. I think it would have more effect upon them.

2023. You really think that some summary and ignominious punishment would shame and deter the man better than the system of fines now adopted?—It would bring the jeers of his own class upon him, and that is what these men cannot stand; it tries them more than anything else.

2024. Lord *C. J. Hamilton*.] You stated that from the moment of a patient entering the portals of your house he was deprived of all stimulants?—Entirely.

2025. Do you administer stimulants in any other form?—No. I have sometimes had recourse to a narcotic for a time as a medicine. Now, I use with great success for a few nights, chloral.

2026. Do you not find it prejudicial to the health of patients who have been accustomed to drink?—Quite the contrary. They begin then to enjoy life.

2027. You can deprive them without any craving on their part at first; do they not give way to riotous conduct?—Yes, they are very clamorous, and send telegrams to their friends to bring them brandy; but that is all managed.

2028. In such a case do you lock them up?—No.

2029. You adopt simply kind treatment and reasoning?—Yes. They see that they are not in an establishment, but in a family, and it has a good effect upon them.

2030. You think that it is safe to deprive patients of that kind of stimulants the moment they enter one of these homes; you are aware that there is a difference of opinion upon the subject?—So far as my experience goes, it is the only hope, because otherwise you would be continuing the very drug that is the cause of all the mischief. The system must learn to do without it. I am giving the experience of those who have come to me. I give you their testimony, more than my own. There is nothing but to give it up entirely. That is their own opinion. I am not stating it upon any scientific grounds, but merely as the common observation of an ordinary man.

2031. Mr. *Samuelson*.] You think that alcohol in any form is not a necessity of life?—Not at all.

2032. Major *Walker*.] You made a statement which I am sorry to say is very exceptional in the evidence before us, that there has been a diminution of drinking habits within your own personal experience. To what do you attribute that diminution?—I am speaking of a very rural district, where we have nothing like the drunkenness that we had. I do not offer any opinion about the country generally. I believe that is as bad as ever.

2033. To what do you attribute the improvement in your own locality, to the vigilance of the police?—Not at all. There has been an example brought to bear upon the lower orders. The

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patronage given to them by those higher than themselves in giving up drink, has induced many to do the same, and it has had a salutary effect even upon those who have not given it up entirely.

2034. This has been the result of example from the classes above acting upon those below?—We have had the good fortune of getting some persons in a better position in life to set the example and encourage these men, and it has been attended with very good results.

2035. *Chairman.*] Before people come under your cognisance they have gone through a pretty considerable gradation in drink?—They have run the gauntlet of all establishments in existence before they come to me.

2036. If you were asked for an abridgment of your treatment, it would be to take them early and keep them sufficiently long?—Yes, and keep them entirely without alcohol.

2037. You stated that there were a certain number of your patients of whom you had lost sight; you do not know what has become of them?—No.

2038. You have no reason to suppose that they were all failures?—I would take their case as unproven. I hope that one or two are very steadfast.

2039. Do you believe that any of the inmates of your house got drink surreptitiously whilst they were under your care?—No. In the cases I spoke of there was no mistake about their having had it. The others I do not believe ever had it. They were honourable men. They would rather leave me. They had to associate with ladies, members of my own family, and that was very deterrent in itself.

2040. One portion of the evidence given here the other day was the evidence of Dr. Albert Day of America, which was to the effect that the parole system is only workable in an institution of moderate size; would you agree in that opinion, or do you think you could work a large institution upon the parole system only?—I think you would find a number of honourable men among them who would keep the others straight.

2041. Of course the chance of their being all honourable men would diminish with the increase in their number?—Yes. I have seen great influence exerted over a person of weaker will by one of a stronger will, although both were suffering from the same constitution.

2042. Have you large confidence in the truthfulness and honour of an habitual drunkard?—No, far from it.

2043. *Mr. Miller.*] When you speak of the diminution of drinking in your neighbourhood, of what class are you speaking?—The labouring class.

2044. What kind of labour?—Agricultural.

2045. Do you know what wages they have?—Twelve shillings a week, and 3 *l.* at Michaelmas. The masters would willingly give them more if it was not for the fact that they know that so much of it goes on Saturday night to the public-house. It is then that they spend their money.

2046. Do you suppose that the smallness of the wages is the cause of the decrease in drunkenness?—We do not consider the wages small; 12 *s.* a week, 3 *l.* at Michaelmas, with a cottage at 1 *s.* a week, and a good garden, and perhaps two or three of the family bringing in money. They can do nicely so long as they keep from the public-house; and I know that many of the

masters would increase their wages if they thought it would lead to increased comfort in their homes.

2047. Not believing that, they do not give any increase?—If they could have a security on that point they would be too glad to give it, for the result would be to their advantage.

2048. Then, supposing all workmen in the country to be treated in the same way, do you think it would decrease the drinking everywhere?—If they had an increased amount of money with their present appetite, it would only increase the amount of drinking.

2049. *Sir H. Johnstone.*] Is your's a large village?—It is a village containing 2,000 inhabitants.

2050. How many public-houses are there?—One to every hundred in the population.

2051. Is that enough?—Yes; in the opinion of some, too many; although I would prefer that they should never go into the public-house, I do not think that in a certain area the number multiplies the drinking; I think it is rather an advantage, as it breaks up the knots of men; if you had one or two instead of 20, it would be more pregnant with evil; the men would be more dangerous in getting together.

2052. They are not a revolutionary class of people?—Not at all, but when you get people into small knots you only excite contention upon questions on which they have all got their own ideas. Agriculturists can rule the State as well as men of higher degree, at least so they themselves think.

2053. And the more facilities for drink, the less drunkenness there would be?—Within a given area; I would not plant a public-house where there was not one in some outlying place so as to make it more convenient to go to, but in a town where it little matters whether you go up this street or down that street to get it, it is a matter of no moment whether there are two or three public-houses in the street or only one. By the very fact of there being so many places you do not get a number of men congregated together, which in itself is a great evil and a great incitement to drink.

2054. Suppose there were only one, do you think that it would be better to have 20 public houses than one?—Probably if there were only one, the man would be very independent, and would not make things so comfortable. But if there were two, there would be a great contention which should get the greatest number. They would make everything convenient, have music and dancing, and so on, to get as many as possible.

2055. *Mr. Samuelson.*] Do they not make it very convenient when there are so many?—I think not.

2056. *Lord C. J. Hamilton.*] When you have only two or three in a town, have you not a greater guarantee for the respectability of those two or three?—I know that I am expressing an opinion contrary to that generally received, but that is the impression I have. I feel quite sure that if beer was sold so that the people could take it home, and not be allowed to squat down in the public-houses, there would not be half the amount of drinking there is. The evil is in congregating together, having houses where they can sit hour after hour. It would be better if the people were obliged to take the beer at a window, and carry it home with them.

2057. Do

2057. Do you not think that a large number of public-houses in a community like that in which you live, is a premium on adulteration which we are trying to guard against by legislation?—That is naturally suggested, but I do not think it is so. The adulteration such as I read of the other day in a statement in the House of Lords was not adulteration which would alarm anybody, seeing that it was merely an addition of water, sugar, and finings.

2058. I thought there was some complaint made with regard to old fish?—That was merely the finings, the albumen of the fish to fine the beer.

2059. Mr. *Mitchell Henry*.] That is analogous to the isinglass used in clearing wine?—Yes, or to the bit of fish-skin to clarify coffee.

2060. Mr. *Samuelson*.] You think that drunkenness would be decreased by the prohibition of drinking upon the premises?—Yes; the backbone of drunkenness is drinking in the public-house. "To be drunk on the premises" is literally the fact. If they were obliged to take the beer away there would not be half the drunkenness there is.

2061. Mr. *Clare Read*.] In reply to the Honourable Member for Edinburgh, you said that you did not consider that wages had at all decreased. Do you not think that within the last 10 years they have increased?—Decidedly. The comforts of the labouring class in our neighbourhood are

greater than they were, and there is every disposition to make them still greater. If the masters could only have a guarantee that the increased wages would contribute to their comfort they would give that increase.

2062. Ten years ago, with the present price of provisions, they would be receiving 10 s., instead of 12 s.?—Yes, or even 9 s

2063. Sir *Harcourt Johnstone*.] Is the three pounds at Michaelmas a bonus?—That is part of the agreement they enter into in the hiring of a servant.

2064. At what time are the rents paid; at Michaelmas and Lady Day?—Yes.

2065. Mr. *Clare Read*.] You think the multiplicity of public-houses does not tend to improve the quality of the drink by competition?—I think not. The only way they make it answer their purpose is by making more of it. I do not believe they adulterate it. It is done no doubt in larger towns, but I am speaking of our rural districts. No doubt the salt accounts for a very great deal in the beer, inducing more to be drunk. Alcohol induces an appetite for drink quite fast enough, without adding salt to it. Many of our men in the harvest field will drink beer till they are thirsty, and then drink water, saying, that they can drink no more, for they are so thirsty.

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Friday, 26th April 1872.

MEMBERS PRESENT :

Mr. Birley.
Colonel Brise.
Mr. Mitchell Henry.

Mr. Miller.
Dr. Lyon Playfair.
Mr. Clare Read.

DONALD DALRYMPLE, ESQ., IN THE CHAIR.

Major GREIG, C.B., called in ; and Examined.

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2066. *Chairman.*] I BELIEVE you are the Head Constable of Liverpool?—Yes.

2067. How long have you been in that office?—Upwards of 20 years.

2068. In the course of that time your attention has been very closely directed to this large subject of drunkenness?—Constantly.

2069. Not only because you are the head constable of a very large and important seaport, but also because drunkenness has been greatly discussed in Liverpool?—Very much so. I have given evidence before a Committee of this House upon the subject.

2070. And various experiments with regard to licensing and other matters have been at Liverpool, I believe?—Yes.

2071. Though you have had rather short notice of what was required of you, have you furnished yourself with any figures and particulars which you can lay before the Committee?—I have here the annual report, which I am bound to lay before the Watch Committee, and which is drawn up by order of the Home Secretary ; and I have a table showing the amount of drunkenness during the last 10 years.

2072. Will you give us the results?—The drunken cases in 1862 were 12,076 ; in 1863, 13,914 ; in 1864, 14,002 ; in 1865, 13,922 ; in 1866, 12,332 ; in 1867, 11,932 ; in 1868, 14,451 ; in 1869, 18,303 ; in 1870, 21,113 ; in 1871, 19,559.

2073. Can you give any explanation of the remarkable variation ; you begin with 12,000 or 13,000, then you rise to 14,000, 18,000, and 21,000 ; can you explain that?—With all the consideration and thought that I have given to the subject I cannot give you any sound reason for the change.

2074. In what year did what I may call free trade in public-houses in Liverpool begin?—The magistrates decided that they would adopt, to a certain degree, the system of free trade in licenses. In 1862 they granted 124 licenses ; in 1863, 30 ; in 1864, 147 ; in 1865, 126 ; in 1866, 22 ; and in 1867, nine.

2075. You are aware that in some cities and boroughs every person who is taken up for being drunk appears before the magistrates, whereas in other places they are allowed to get sober and are discharged by the police without ever appearing before the magistrates ; what is the

practice at Liverpool?—The practice is that every person who is brought to bridewell is booked, and is brought before the magistrates the next day, with this exception ; there is what is called a refused charge book, kept by the bridewell keeper or men in charge of the stations ; if a man is known to be a respectable person, or if his friends follow him and say, “ we will take care of him,” and he does not live far off, he is entered in that book, and is not looked up ; but every person who is looked up is discharged by no other person than one or two justices.

2076. From the mass of cases which you have laid before us, have you deduced any particular results ; have you tabulated anything?—There is a table showing even the occupations of those who get drunk.

2077. I believe the system of imposing heavy fines has lately been adopted in Liverpool?—Yes.

2078. Have you any comparison statement showing the result of the treatment by heavy fines?—Two justices thought that they might reduce the number of cases of drunkenness by severe penalties ; those two justices sit every Monday morning, when there are more prisoners than usual, consequent upon there being no sitting on the Sunday ; I have here a table showing the cases brought before them in January, February, March, and April this year, and the number of persons who were locked up in the corresponding months of 1871.

2079. One table showing those who were, and the other those who were not, heavily fined?—Yes.

2080. Will you give us the result?—In 1871 the number of prisoners booked drunk from Saturday, when the court closed, till the Monday morning was 2,311, and the total number of prisoners upon all charges was 3,223.

2081. Do you mean that the drunken cases were two-thirds of all the booked cases?—Yes. The total number fined was 2,002 ; out of that 2,002 there were 1,008 who paid, and 994 who did not pay, but were imprisoned.

2082. What was the ordinary amount of the fines?—The amount paid for those four months was 356 *l.* 13 *s.* 9 *d.* ; the amount not paid, 588 *l.* 13 *s.* ; the total amount imposed, 945 *l.* 6 *s.* 9 *d.*

2083. Among 2,002 cases?—Yes. Then during the four months of 1872 the number booked

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booked drunk in the same period was 1,761, the total number of cases on the books being 2,792. The total number fined was 1,639; the number that paid was 766, and the number that did not pay, 873. The amount paid was 403 *l.* 14 *s.* 5 *d.*, and the amount not paid, 784 *l.* 0 *s.* 6 *d.*; total amount of fines 1,187 *l.* 14 *s.* 11 *d.* For "drunk and incapable cases," you are aware, the highest penalty is 5 *s.* and costs.

2084. Do you think that penalty is of any use?—No, it is quite inoperative.

2085. That is the penalty under James I.?—I believe so. The fine for "drunk and incapable" cases cannot be altered; but persons who are "drunk and riotous," shouting and being tumultuous in the streets, may under a local Act of 1842, section 139, be fined 10 *l.*, and in default be imprisoned not exceeding 14 days. Under the Small Penalties Act, 28 & 29 Vict. c. 127, a defaulter can be imprisoned up to two months. The two justices I have referred to, convict under the former Act, and imprison under the latter.

2086. So that you combine the two Acts, the local Act and the general Act, in inflicting punishment?—Yes.

2087. Will you give me your opinion of the result of the heavier fines of which you have spoken?—I can only give you the figures that I have read.

2088. That is as regards the ordinary drunkard. Have you ever had occasion to put in force the system of requiring sureties of persons who are brought up frequently for drunkenness to find bail for their good behaviour?—No.

2089. With regard to this mass of drunkenness with which you have had to deal, have you looked at all to the nationality of the people?—Yes, a good deal.

2090. Do you think that that throws any light upon the subject?—Yes. In the year ending the 29th of September 1871, there were 19,559 cases of drunkenness; these consisted of 18,803 apprehensions, and 756 cases where the proceeding was by information. The number of convictions was 18,010, or 92 per cent. of the whole. The balances would, perhaps, be accounted for by the summonses not being served, or the magistrate attending having a more lenient view. The 18,803 cases may be thus divided: Liverpool, 6,669; English, 3,206; Irish, 7,014; Scotch, 736; Welsh, 599; Isle of Man, 85; foreigners, chiefly sailors, 494. I may remark in vindication of Liverpool, that there is a very large floating population of seamen.

2091. In this list of apprehensions that you have given the Committee, you have included all those in which drunkenness has borne any portion of the offence?—No; it is drunkenness proper.

2092. There are no persons included in this list who have been apprehended, or informed against, for any offence of which drunkenness was a part?—No.

2093. The drunkenness is merged into the graver offence, whatever that may be?—Yes.

2094. Have you made any calculation of the per-centage of drunkenness in the population of Liverpool?—It is about 4 per cent. of the population.

2095. Mr. Miller.] That includes the floating population?—Yes; 4 per cent. applies to cases, not to persons.

2096. Chairman.] You have told us that the method of treating drunkenness by a fine is inoperative?—Yes.

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2097. What would you suggest as a means of checking this vice?—I would suggest either cumulative penalties, or imprisonment with or without hard labour.

2098. Have you, amongst all those with whom you have come in contact, had to deal with any who are thoroughly incorrigible; what we may term habitual drunkards?—Many.

2099. Can you give the Committee any illustrations?—I have a list of 20 cases, as a mere sample. The first 10 are males. The first of these is 20 years of age; during the last two years he has been eight times in custody for drinking, and the total number of times he appears in the books, as far as the history can be traced, is 31. The next is 24 years of age; he has been 11 times in custody for drink, and 32 times on the books altogether. The third is 28 years of age, a labourer; he has been 10 times in custody within two years, and 34 times on the books. The next is 28 years of age, a hawker; he has been 15 times in custody within two years, and 40 times on the books. The next is 35 years of age, a painter; he has been eight times in custody within two years, and 43 times on the books. The next is 46 years of age, a labourer; he has been eight times in custody within two years, and 47 times on the books. The next was 30 years of age, a labourer; he has been in custody 13 times within two years, and 50 times on the books. The next is 34 years of age, a tailor; he has been five times in custody within two years, and 67 times on the books. The ninth is 47 years of age; he has been 20 times in custody within two years, and 83 times on the books. The next is a blind man, 52 years of age; he has been six times in custody within two years, and 120 times on the books. The next 10 are female prisoners. The first is 50, she is a hawker; she has been 14 times in custody within two years, and 44 times on the books. The next is 46 years of age, a prostitute; she has been 11 times in custody within two years, and 60 times on the books. The next is a prostitute, age 26; she has been eight times in custody within two years, and 63 times on the books. The next is 40 years of age, a prostitute; she has been nine times in custody within two years, and 65 times on the books. The next is 40 years of age, a prostitute; she has been 10 times in custody within two years, and 69 times on the books. The next is 67 years of age, no occupation; she has been 31 times in custody within two years, and 70 times on the books. The next is 37 years of age, a prostitute; she has been four times in custody within two years, and 76 times on the books. The next is 41 years of age, a prostitute; she has been three times in custody within two years, and 91 times on the books. The next is 42 years of age, a married woman; she has been 35 times in custody within two years, and 97 times on the books. The last is 33 years of age, a prostitute; she has been eight times in custody within two years, and 108 times on the books. Of course all this involves a great deal of cost, and expenditure of time on the part of the police; and it is a great evil.

2100. In dealing with such cases as those, have you formed any opinion as to the best thing to be done with such a class of persons; it is clear that hard labour, fines, and so on, are inoperative?—Quite so.

2101. Have you formed any opinion as to what you would do with them?—I have read a

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suggestion that such incorrigible drunkards should be taken care of by the State, or that those who can pay should be placed in certain institutions where they would be made to pay.

2102. Supposing such State institutions were established, do you think that they might be made in part self-supporting by the labour of the inmates?—Yes, in part.

2103. Of course the amount that they would earn would depend upon the capacity of the individual?—Quite so, and the training.

2104. Those who had been 50 or 60 times drunk would not be likely to do much good?—I think any separation would have the effect of giving them a chance of getting away from their bad associates, and putting them under some self-control.

2105. Do you think that moral or religious influences could be better brought to bear upon this class of persons if they were so secluded?—I think so; those classes of persons who have gone through a long career of vice are very often open to moral and religious instruction.

2106. Amongst the causes producing this state of things in Liverpool, have you had occasion to refer to the illicit trading in beer or liquor?—Yes.

2107. Has that been extensively carried on in Liverpool?—There was a great reduction in the number of beerhouses; they went down from a very large figure to the comparatively small number of 300. The power of licensing was vested in the justices, instead of in the Excise, and they cut down the number very greatly indeed. I was then apprehensive that that might produce illicit trading; but there was an Act passed called The Amended Wine and Beerhouse Act of 1869, to which I paid a great deal of attention, because there were all manner of contrivances planned to carry on the illicit trade; that Act gave power to the police to apply for a warrant to the magistrates, showing reasonable ground for so doing; and a great quantity of beer and spirits, in casks, jugs, and bottles, was seized on the Sunday during the prohibited hours.

2108. I believe that under that Act you can seize the liquor, but cannot seize the vessel in which it is held; is that so?—I have always regretted that we had not that power.

2109. You think if you had that power, very often the barrel would be more valuable than its contents?—Quite so.

2110. And that you would hit the wholesale seller as well as the retailer in that way?—Yes.

2111. If I understand you rightly, at this moment in Liverpool there are 432 beerhouses?—Yes.

2112. And previous to 1869 there were, I believe, 845?—Yes, and they were very badly conducted, except in the cases of those who, by good behaviour, thought they might induce the justices to grant them a spirit license.

2113. Have you reason to believe that the Excise has been a large offender in the way of facilitating the opening of liquor shops?—I do not quite understand.

2114. You are aware that the Excise would grant a license for selling beer when the magistrates refused a public-house license?—I understand that beer licenses must first of all be granted by the justices.

2115. That is as it stands under the Wine and

Beerhouse Act, but prior to that nothing was easier than to obtain an Excise license?—Three guineas, I think, was the price.

2116. What is the closing time at Liverpool at the present moment?—The shut time is from one in the morning till four.

2117. The beerhouses are open at the same time as the public-houses?—They close at 11 and open an hour later.

2118. Mr. C. Read.] Did you say that there was a decrease in drunkenness since the decrease in the number of beer houses in Liverpool?—No; my table does not show that. It begins at a lower figure and runs up, and then it comes down again, and then within the last three years it runs up to a very high figure.

2119. So that, although you have done away with half the beerhouses, you do not think there has been any corresponding diminution in drunkenness?—No, I do not think so; still I think the figure would have been greater if those beerhouses (where there was particularly bad beer sold) had existed.

2120. Do you think that drunkenness has had anything to do in recent years with the increased wages received by the labouring people?—No doubt.

2121. And the greater amount of leisure that they have?—The half-holiday. I do not wish to be understood as opposing the half-holiday for respectable persons. I think it is a great boon to shopkeepers and their assistants, but I think that many of the labouring classes abuse it very much.

2122. Do the labouring population drink beer to excess, or more frequently spirits?—Beer more frequently than spirits.

2123. You have not tried in Liverpool the plan of insisting upon the habitual drunkard finding sureties for his good behaviour?—No, never.

2124. Do you think that would be possible?—It would involve his imprisonment, because I do not think he would find sureties. The most eminent brewers in Liverpool, being anxious to meet the public wish, shut their houses entirely on Sundays for about three months. They were the proprietors of about 100. I looked with some anxiety to see whether this diminution of 100 houses would diminish the figures with regard to drunkenness, and I was surprised to find that it did no such thing. I then came to the conclusion that when the people could not get good beer in those houses owned by the persons to whom I have referred, when they found them shut they went to other houses and got bad drink. I think that was the effect.

2125. Do you think that diminishing the number of beerhouses has had the effect of improving the quality of the beer sold at the others?—I could not say that.

2126. Do you often find in Liverpool that publicans persist in giving drink to a drunken man?—There is a very severe penalty if they do, but it is very difficult to prove, because you do not know exactly when the man is overcome.

2127. Do you ever impose those penalties upon the publicans?—Yes, for permitting drunkenness; but, as I have said, that is difficult to prove.

2128. When you do prove it you visit it with a heavy penalty?—The justices do.

2129. Mr. Birley.] In the case of these incorrigible drunkards, would you propose to give the power to the magistrates to commit to a reformatory

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reformatory or asylum, as in the case of young criminals, if such institutions were established?—I believe if anyone had that power it would be through the local authority.

2130. You would give the power after a certain number of times?—Yes.

2131. I was surprised to hear you say that these habitual drunkards were very susceptible of moral and religious influence; is that more than a temporary influence?—I was speaking from my own experience. To go back a little, I may say that every prisoner must be released by a magistrate. There have been a very few exceptions, but these exceptions have been included in the figures representing drunkenness, because the persons were entered in the magistrates' books, and were released by the head constable. That would happen in this way: when Christmas Day, for instance, fell upon a Saturday, so that a person who could not get bail would be kept in all Saturday night and all Sunday, I have conferred with the stipendiary magistrate, and said, "I will go down and release those men who are booked for drunkenness simply." Still they did not escape going into the magistrates' book and being counted in every return that I have. On these occasions I have spoken to the prisoners, especially to the women, and said how sorry I was to see them in that state, and I have seen them very much affected.

2132. Probably you are aware that the general opinion is, that there is scarcely ever an instance of permanent reclamation amongst them?—I do not believe in any permanent reclamation, but you might get a per-centage.

2133. Colonel *Brise*.] I think you said, at the commencement of your evidence, that you could not give any reason for the increase of drunkenness; but in answer to the question of an Honourable Member, you said that the increase of wages had a good deal to do with it?—I think so; wages are very high at this moment.

2134. You also think that the Saturday half-holiday has something to do with it?—Among the working classes.

2135. I think it is the custom at Liverpool, when a man is apprehended for drunkenness, that he is not discharged until he is taken before the magistrates?—Never; with the single exception I have mentioned, which has happened about six times in 20 years.

2136. We have had evidence from Sheffield, Leeds, and other places, and it seems to be the habit in those towns to discharge men without authority from the magistrate, and they are not included in the statistical returns; is not that, in your opinion, very wrong and very informal?—I should have thought that the Government Inspector of the constabulary would not have permitted it.

2137. Under whose authority are they discharged?—I understand that in Glasgow it is done by the superintendent of police.

2138. Do you think that is informal?—I do not think the Bench of Justices in Liverpool would allow me to do that; Liverpool is placed at a great disadvantage in any comparison, as regards drunkenness, with a town where that plan is pursued.

2139. It is the custom in the army, if a man is apprehended for any offence, that he is not discharged without the order of the commanding officer; and I suppose that is so in Liverpool?—Yes.

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2140. So that the statistics of Liverpool will hardly bear any comparison with those of towns like those of Leeds and Sheffield, where convictions only are returned?—Liverpool appears to a very great disadvantage under these circumstances. Then there is a floating population of sailors, many of whom are exceedingly well-disposed men, and go to the Sailors' Home; but a number of them are very thoughtless, and spend as much as 20*l.* in a week. This floating population numbers about 20,000.

2141. I think you say that the beerhouses had decreased from 845 to 432 in 1869; and at the same time you tell us that drunkenness had increased from 14,451 in 1868 to 19,559 in 1871, an increase of more than 5,000 apprehensions?—Yes.

2142. Then I think you told the Honourable Member that you considered that the drunkenness in Liverpool was attributable chiefly to beer drinking?—Yes.

2143. Yet in spite of the decrease in the number of beerhouses from 800 to 400, there has been an increase of 5,000 in the convictions for drunkenness, owing chiefly to the drinking of beer?—Those persons who went to these beerhouses found their way to somewhere else; then, in a small degree, illicit trading sprang up. Before the amended Act was passed, no police officer could enter a house without rendering himself liable to an action for trespass, but now, on reasonable grounds, an application for a warrant is granted; a great deal of beer has been seized in that way, beer of a most abominable character, not fit to drink.

2144. The evidence we have had heretofore has rather shown that drunkenness is attributable to whisky and other spirits?—It would differ according to the country; in Scotland, for example, they drink spirits very much.

2145. Mr. *Miller*.] In answer to an Honourable Member, you spoke of labourers drinking; what do you mean by labourers, the skilled or the unskilled?—Skilled and unskilled.

2146. Every man who is working for a day's wage?—Yes.

2147. Which of these classes do you find most given to drink?—The unskilled, the common dock labourers; the work in Liverpool is different from that in an inland city like Manchester; it is out-of-door work entirely; there are very few manufactories; those who employ a large number of men are very anxious that the public-houses should not open before the men have had an opportunity of going to their work, because if they begin with drink before going to work, they generally carry it on throughout the day.

2148. Are the dock labourers chiefly Irish?—A large proportion of them.

2149. Dr. *L. Playfair*.] You have stated a very remarkable result; that in spite of a very large reduction in the number of beerhouses, there has been a considerable increase in the number of drunkards?—Yes.

2150. Does not that throw some doubt upon the sufficiency of any measures for improving the licensing of the country, which depend upon the reduction in the number of places where persons can drink; I mean, would the reduction in the number of houses be alone sufficient to prevent the increase of drunkenness in a locality?—It would diminish the opportunities; I do not think it would be alone sufficient.

2151. But in this case, where the opportunities

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ties have been largely diminished, there has been no diminution in drunkenness?—No; but then I repeat, a good deal of illieit trade has sprung up, and the labour market has been very active within the last two years.

2152. Would not the illieit trade follow the reduction in the number of licenses?—There is a check upon it by the opportunity afforded to the police of getting a warrant to enter.

2153. Mr. *Miller*.] That is a new power?—Yes, since 1869-70.

2154. Dr. *L. Playfair*.] Then the regulation of houses would appear to be more effective than the reduction in the number?—I think so.

2155. *Chairman*.] You mentioned, in the course of your evidence, the subject of adulteration; have you reason to believe that mischief to any considerable extent has arisen from adulteration?—I think that drunkenness is greatly increased by it.

2156. Do you refer to both beer and spirits?—More particularly to beer.

2157. Dr. *L. Playfair*.] Is not the chief adulteration practised in beer, by mixing salt and water with it?—I am not in a position to

answer the question. I have read the statement as having been made elsewhere.

2158. How does adulteration increase drunkenness, except, perhaps, by the salt increasing the thirst?—I imagine the adulteration consists of a variety of matters, perhaps, not of a very wholesome character; but I have never had any conversation with an analyst upon the subject.

2159. Mr. *C. Read*.] Does not adulteration sometimes help to produce stupefaction?—Yes.

2160. They put in something that acts upon a man very quickly?—One spirit will produce a different effect from another. For instance, the Chinese spirit *samsu*, which is made from rice, will make a person mad and furious.

2161. Mr. *Miller*.] I think you attribute a good deal of the increased drunkenness to the increased wages?—A great deal.

2162. Has the increase of which you have spoken kept pace with the increase of wages?—I think that the Table bears that out. Drunkenness depends very much upon the weather. If it is very hot people do not stay in their houses; they are then induced to drink, and then to fight, and then comes the conclusion.

Mr. LAMPLUGH HIRD FAWCETT, called in; and Examined.

Mr. *Fawcett*. 2163. *Chairman*.] I BELIEVE you are the Assistant and Manager at a house called the Christian Homes for Inebriates, conducted by the Rev. Mr. Nurse, of Bakewell, in Derbyshire?—Yes.

2164. Brook House?—That is the one I manage.

2165. What is Mr. Nurse?—He is a Congregational minister.

2166. How long has he conducted Brook House?—About a year and a half.

2167. Did he conduct any similar institution anywhere else?—He had one at Sheppey Court, near Sheerness.

2168. How long did he carry it on there?—He commenced it in June 1869.

2169. How long have you resided at Brook House?—About three months and a half.

2170. Then you are now speaking partly from your own knowledge obtained during that three months and a half, and partly from what has been communicated to you by Mr. Nurse?—Yes.

2171. Can you tell me how many patients Mr. Nurse has had under his care?—I should say from 40 to 50.

2172. Are you speaking of Brook House?—No, I am speaking of past and present.

2173. Have they been both ladies and gentlemen?—He has had both.

2174. What has been the condition in life of these persons?—Various; tradespeople and professional men.

2175. Have they all been persons who have come there voluntarily?—Yes, in every case. Their friends have persuaded them.

2176. There has been no such thing as a person being sent there with a certificate?—I have never seen any certificate or heard of such a thing.

2177. Are you aware what has been the average duration of the residence of these persons?—I think about three months. In many cases it has been longer.

2178. What has been the number of cases

that you have had cognisance of?—I have actually seen about 10 cases.

2179. What has been the general result of those 10 cases?—Very satisfactory.

2180. How many have been cured?—There are three cases I can speak of as certainly being cured. There are seven there now. I know of two cases, although not in my time, where there has been no improvement.

2181. Are you aware of any of those cases of improvement which have gone on after the persons have left the home?—In the three cases that I speak of, the patients have been strict teetotallers since they left.

2182. You have known what has happened to them after they have gone back into society?—I have seen two of them.

2183. In your opinion, is it possible to put down the length of residence for each patient?—I do not think it is. You may have a man there three months, or you may have him 12 months, or you may cure him in even less than three months.

2184. You must deal with each case upon its own merits?—Yes.

2185. There might be conditions in which it would be mischievous to keep a patient?—I quite think so. When you see that a man is cured, and that he sees the importance of giving up all intoxicating drinks, if he has the least desire to go, you injure him by keeping him.

2186. On the other hand, it would be objectionable to yield simply to the desire of the individual to go out before you believed him to be fit to leave?—Certainly. We find that in these cases of determined drunkenness the fits come on periodically. Perhaps every three weeks there is a desire for drink, or every month. The periods vary, but it is very often every three weeks. When we see it coming on with depression of spirits, we give medicine which counteracts the depression.

2187. At that time do you think it would be desirable for the manager of an institution to have the power of preventing persons going out and

and having access to drink?—I think it would be well if a power of that kind were given to the manager; say, after six o'clock in the evening, so that he might prevent a man going out; but I think it is a power that ought never to be used until all other means have failed.

2188. But you would desire that power to fall back upon as a last resource?—I think it would be desirable to have something of the kind to fall back upon. As we are now, we have not the slightest power to prevent a man going out at any hour.

2189. Do you know of any cases in which the patients, after leaving, have come to a very bad termination?—I know of one case at the present time; it is that of a gentleman who was in an American institution; he left Bakewell apparently cured, but he took to drink again, and eventually committed suicide.

2190. Under what heads would you class the power which you would desire to have in the management of an establishment like this?—I suppose it would be in the way of persuasion and detention.

2191. Persuasion first, and detention afterwards?—Yes.

2192. Are you of opinion that this class of persons are very susceptible of moral and religious impressions?—I think you can do a great deal more with kindness than you can in any other way with them.

2193. Is there any particular treatment practised at these Homes?—We believe that drink invariably attacks a man's liver, and we apply mustard plasters to the liver, made of mustard bran; then we try, by means of wet sheets, to get all the liquor out of his body. We believe that until you have got a man's body clear of it you can do no good. Then we quite think that you can do no good, if you keep a man without drink for a year, unless you make him see the wrong of it.

2194. In the management of these individuals do you abandon the use of stimulants altogether?—Entirely as regards diet. Sometimes a man comes to us in a very bad state, and although we know it would not hurt him to leave it off at once, he may perhaps work himself into a nervous, irritable state by his craving for drink, and make himself worse than he would be if he had a little; although a man will get round sooner if he abstains totally, if the patient is in that way it is often desirable to give him a small quantity, what might be termed "tapering" him off.

2195. In point of fact, you use stimulants only medicinally?—Only medicinally.

2196. And if you have occasion to give a man stimulants you do not put it before him on the table?—No, I always administer it in my own private room.

2197. Do you find it difficult to provide occupation for the patients?—That is a difficult point.

2198. Time is liable to hang rather heavily on their hands?—Yes; we have a subscription library, very good fishing, and a billiard table, and the walks round about are very fine.

2199. Mr. C. Read.] Have you a garden?—We have a large garden.

2200. Chairman.] Have you had numerous applications for admission to the Homes?—We have had a large number, and are having them now.

2201. Of course these persons, as a rule, pay their way?—Every one that we have.

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2202. Have you had occasion to decline several because of the terms which it was necessary to pay for them?—Yes; we have had many cases in which we could not take the patients upon the terms offered, and they could not pay our terms.

2203. I believe that Mr. Nurse was first prompted to this step by observing the terrible ravages of intemperance, and by a desire to be useful, and that he has not made a profit by the transaction?—He has lost money by it, very considerably; he has taken many patients for nothing.

2204. Judging from the number of applications made to you, do you think that these establishments might be made to pay their own way?—I think so. There is one thing I think very desirable, that is not to have ladies and gentlemen in the same establishment.

2204*. At present you have no surveillance of any kind; no one has any right to come whom you do not choose to invite?—No.

2205. But in the event of these establishments becoming numerous, it would be necessary to institute some proper inspection?—Yes, I think it would.

2206. To whom would you intrust that charge of inspection?—I think a committee would be best; a committee of gentlemen in the neighbourhood.

2207. Persons wholly unconnected with the patients?—Yes.

2208. Have you had an opportunity of considering the method by which persons should be admitted to these establishments?—I cannot say that I have.

2209. You say that your patients come voluntarily?—Yes.

2210. You have not considered whether it would be possible to have them admitted by any other than voluntary means?—No; in paid establishments, where, you have to deal with men of refinement, I think it would be better always to have it done voluntarily, if it can be done.

2211. Have you had any knowledge of the lower orders of inebriates?—Not exactly; I had a patient a short time ago, a man of no education at all, but a very clever mechanic, a man about 57 years of age.

2212. Mr. C. Read.] How many patients have you accommodation for in your Home?—We can accommodate about 12.

2213. Is it full now?—No; we have seven in now.

2214. All males?—One female.

2215. Are you a medical man?—No.

2216. Is there a medical superintendent at all?—Yes; we have Dr. Fentem, who visits the house.

2217. Have you had any difficulty in retaining these patients, when you think they ought to be retained?—Yes; I had one case in which I could not retain the patient, and I had to go to Nottingham with him.

2218. You could not compel him to stay?—I could not; I found he would go. When I got him home, I said to his wife, "Your husband has come home; you must try and make him go back." After a great deal of trouble, I did persuade him to come back with me, but the next day he was off again; so I found it was of no use. He was an elderly man. It was not a case which I could get the man's money from him.

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2219. You

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2219. You think, if these institutions became general, it would be necessary to have some power of detention over the patients?—I think there should be some power, but it should not be used except in extreme cases.

2220. Mr. Birley.] Have you had any previous experience of asylums such as these?—I have not.

2221. What was your previous occupation?—I was a banker's clerk originally.

2222. What is the scale of charges at the Home?—Ten guineas a calendar month.

2223. That is, of course, prohibitory to many?—Yes; but there are cases in which we take persons at a lower rate; we have taken them as low as 30s. a week.

2224. Do you classify the patients?—No, we do not.

2225. They all associate together?—Yes.

2226. What outdoor occupation have they; do they garden?—No; we have a very large garden, an acre and a quarter; we have also very good fishing; and the scenery round Matlock is very fine.

2227. Mr. Miller.] What is the greatest length of time you have had any patient in your establishment?—There is one gentleman who has been there seven months; he was there when I went; he has left now; he is living in the village and is perfectly cured.

2228. How long has he left?—About two months; I see him almost daily.

2229. That is, he has not relapsed during the last two months?—No, he is perfectly blind.

2230. What is the average duration of their stay?—Three months is the time we take them for. We have one gentleman there now who is going to stay 12 months with us; another has been in a Scotch establishment, and his friends wish him to remain with us two years.

2231. Do you know the history of the patients after they leave you?—In most cases we do. If we do the patient any good he will be continually writing, or coming over to see the place out of gratitude to us.

2232. Can you give any statistics showing the number of patients you have received; their ages, the length of time they have been with you, and what has become of them subsequently?—I will endeavour to do so.

2233. Dr. L. Playfair.] Do you exert any watchfulness over them during the day, when they go out from your establishment?—Yes; the plan we adopt is this; we always go out with a man until we think he has got the better of his habit; then we trust him out with another patient who has been there longer. At first we never trust them out alone.

2234. Then afterwards do you trust them out upon their parole?—Yes.

2235. Do you find that they often break their parole and obtain spirits?—There are cases in which they do. Our plan is not to allow them to have any pocket money whatever. The cases to which I refer have arisen from the circumstance of the patients having had money that we have not known of.

2236. But generally, after they have received the benefits of the discipline of the establishment, they do not break through the rules?—No, they do not.

2237. Mr. Mitchell Henry.] Have you many re-admissions?—We had one in the case of a female.

2238. Did she return only once?—Only once. Mr. Nurse had an application to take another lady back again, but they could not pay the terms the second time.

Tuesday, 30th April 1872.

MEMBERS PRESENT:

Mr. Akroyd.
Colonel Brise.
Mr. W. H. Gladstone.
Mr. Mitchell Henry.
Mr. Miller.

Dr. Lyon Playfair.
Mr. Clare Read.
Mr. Henry Samuelson.
Major Walker.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Mr. THOMAS P. NELSON, called in; and Examined.

2239. The *Chairman*.] I BELIEVE you are the superintendent and manager of an establishment for the reception of inebriates, called Queensberry Lodge, in Edinburgh?—I am.

2240. When was that house first established?—It was established in August 1866.

2241. Where; in its present site?—In its present site.

2242. In Canongate?—South Back of Canongate, adjoining Holyrood.

2243. Previously to that I believe Queensberry House was established?—Queensberry House, or the House of Refuge as it is properly called, was established in 1832.

2244. These establishments, I believe, have been for the admission of ladies only; is that so?—Queensberry Lodge has been exclusively for ladies.

2245. Was the House of Refuge in Canongate for both sexes?—For both.

2246. With regard to Queensberry Lodge, have you any returns of patients admitted there?—Yes, I have a return here.

2247. What is the number of patients that have been admitted from 1866 up to the present time?—One hundred and forty-nine.

2248. Of that 149 how many are still in the house?—Seventeen.

2249. Of those that are no longer in the house, how many do you consider you discharged cured?—Thirty-seven.

2250. Taking the 37 and the 17 together, that is 54 out of 149?—There are 37 cured and 17 remaining in the house under treatment.

2251. That leaves 95 to be accounted for?—Exactly.

2252. Of those 95 have you any report, or what do you put them down as?—Of the balance there are bad accounts.

2253. Then you would put those 95 down as failures?—Yes.

2254. The 37 you put down as cured, you call them cured because you continue to have good accounts of them after they have left your charge?—Yes, to the present hour.

2255. Of those that have been cured, have you any record of the average length of time that they remained in the house?—I have the exact time each person was in the house.

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2256. Tell us the result?—Five of them have been in the house one month; three for two months; five for three months; four for four months; one for five months; one for six months; two for three months; one for eight months; three for 11 months; three for 12 months; two for 13 months; one for 17 months; one for 24 months; one for 32 months; one for 33 months; one for 36 months; one 39 months; one 64 months.

2257. Have you any corresponding account of the length of time that those cases which have turned out badly remained with you?—Yes; there were 47 admitted for one month, and 14 of these returned a second time; five of them a third time; of those who have been admitted for two months, there were 18; two of those returned a second time, and one a third time; we had 13 for three months, of whom four returned a second time; we had eight for four months, two of whom returned a second time; we had five for five months, one of whom returned a second time and a third time; we had three for six months, and one returned a second time and continued another six months; we had five for seven months, none of whom returned; two for eight months, none of whom returned; two for nine months, one of whom had been in on shorter periods before, and at the nine months' end came back a fourth time; we had two for 10 months, none of whom returned; two for 11 months, none of whom returned; two for 12 months, none of whom returned; one for 16 months, who returned a second time; we had one for 21 months, and that one returned a second time; we had one for 24 months, and she returned a second time; we had one for 29 months, who returned a second time; we had one for 30 months, who did not return; one for 32 months who did not return; one for 64 months, who is still in the house, but is perfectly cured; the reason for her being there is that her friends cannot repose confidence in her, and would rather board her with us.

2258. Those of whom you have just given an account, I understand, with one exception, you consider as failures?—No, I do not.

2259. The question I asked you was, whether you could give an account of the length of residence of those cases that you thought had turned

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out unsuccessfully?—Do you mean the ones who are not spoken of at all, or those whom I have named.

2260. You have given me an account of 37 cures, and you have given an account, striking off those that are still in the house, of 95 persons who you considered did not turn out successfully. Have you any record of the length of time the unsuccessful cases remained in the house?—Yes.

2261. Have you averaged that?—I have not.

2262. Will you strike an average and give that in to the Committee?—Yes.

2263. Were all these patients admitted voluntarily?—Yes.

2264. Do you mean by the word “voluntarily,” at their own request, or the request of their friends?—On the urgent solicitation of their friends.

2265. None of these patients had any certificates?—No certificates.

2266. In order to admit them, I presume you have some form of admission?—Yes.

2267. Is the form of admission which you have put in my hands the one that you make use of?—Yes, that is the form.

2268. You put that in as the form?—Yes. (See *Appendix*.)

2269. Upon these formalities you admit the patient?—Yes.

2270. Practically have you found that persons are willing to abide on these terms, or are they anxious, after a certain length of time, to break them and to go out?—I find they very soon become fretful and impatient. It is a most difficult thing to induce them to be reconciled to the residence at all. In fact, the greatest difficulty I have had has been in dealing with the varied temperaments and dispositions of the patients. They are put in ostensibly for a month, but the husband or relative intends them to remain longer. At the end of that month, when they expect to go, they are told they must remain another month. This sets them in a fever again, and they are in a continual turmoil; we thus work at a great disadvantage, for they are always in a state of irritation and anxiety. That is one of the principal things that led me to look so favourably upon a Bill which I saw proposed to be brought into Parliament for making the detention compulsory. I found it operated most beneficially in cases where the law did not exactly reach, but where the sheriff exercised a wise discretion in regard to persons brought before him, drunken women who were demoralising their families, keeping them all in wretchedness, pawning their clothes, keeping their husbands from sleep, having no food ready for them, and everything abused. I advised these parties to commit the wife to the police, to make the case known to the superintendent of police, in order that it might be laid before the magistrates the next day. They, on hearing it, did not wish to bring scandal upon the family by sending the mother to prison, but they gave her the option of going to prison or of coming to us. These persons invariably chose to come to us, and when sent by a magistrate in that way (because they were brought to me by a constable), they were perfectly resigned and calm for the whole time of their incarceration, showing me that if they had a fixed time put upon them during which they were to be with us, we could operate much more beneficially upon them.

2271. Do I understand you that they were

sent by a magistrate, and brought to your place by a constable?—Yes.

2272. Mr. *Miller*.] Not all?—No; those are the refractory who will not yield to a husband's wishes; who do not care to be reclaimed at all, and set every one at defiance; the husband is driven to this extremity for the sake of his family.

2273. The *Chairman*.] That is rather extrajudicial, is it not?—It is a choice given to them; the magistrate could send them to prison.

2274. May I gather from what you have stated that you are in favour of being strengthened in the management of an institution like this by a power of a reasonable detention of the parties in the institution?—Most decidedly.

2275. Are you of opinion, if you had that power, whether you would frequently have to put it in force or not; that it would act as a deterrent?—I believe it would.

2276. In the same way as the threat of prison leads to persons entering your establishment, so the power of the key would prevent them going out too soon and mischievously?—Exactly.

2277. Have you had occasion to notice that there have been at all frequent cases of insanity occurring in any of your inmates?—We had in the Lodge one lady whom we sent to Morning-side Asylum.

2278. Has your lodge ever been visited by the Commissioners of Lunacy?—Frequently.

2279. Not officially?—No; but they come very frequently.

2280. Will you listen to this question and answer; it is in the evidence of Dr. Arthur Mitchell. He is asked whether he has had occasion to notice patients coming with certificates dated from Queensberry House, and his answer is, “Yes, I paid a visit to that asylum in consequence of parties coming with certificates signed from that place, and I visited it to ascertain whether there were persons there who, in the ordinary sense of the word, were lunatics, but persons of such description were not found.” You mention but one, and Dr. Mitchell says, “Yes, I have lately observed that a number of patients entering the asylum have been there”?—I refer to one as connected with Queensberry Lodge. We have had several from the Queensberry House.

2281. Mr. *Miller*.] That is the Refuge?—Yes.

2282. *Chairman*.] Queensberry Lodge is self-supporting?—It is.

2283. You receive no contribution from the rates?—No.

2284. Nor any subscriptions from patrons in any way?—Nothing whatever.

2285. I observe by your list that they pay various sums in proportion to their being first, second, and third class, and so forth?—Yes.

2286. The aggregate of your expenditure and income shows that there has been a surplus of something like 33 or 34 per cent.?—Yes.

2287. Mr. *Miller*.] Does that include interest upon the capital expended?—No; it was built by public subscription.

2288. *Chairman*.] Then you have not taken into consideration the expense of the building or of the furniture?—No.

2289. At present it is a mere question of what parties pay for board, and what it costs you to keep and manage and direct them?—Yes.

2290. Upon your showing, putting the first cost

cost upon one side, there is a profit of about 33 or 34 per cent.—Yes.

2291. Supposing these establishments to be built and furnished, you have no doubt that they might be made self-supporting, supposing they were even much more general?—Yes.

2292. Have you numerous applications made to enter this establishment?—Not so frequently as might be expected. We have many applications that never come to maturity; they write to ascertain whether we can take them, get a copy of the prospectus, and then they write, saying that their plans are not matured, that there has been a display of repentance, and a determination to reform, and they give the persons another chance. There are numbers of that sort hanging in the wind.

2293. In Queensberry Lodge I find you are, as it were, one large family?—Yes.

2294. And you have halls for social intercourse and recreation and amusement, music, and so on?—Yes.

2295. Have you any occupation for the inmates?—We do not employ them at all, but they are mostly supplied by their friends with materials for work for their families.

2296. Do you find the want of sufficient occupation a difficulty?—Distinctly. When they are idle they are at mischief, they are getting up quarrels among themselves, or finding fault where there is no fault to be found. The busy ones are the quietest ones.

2297. Now I will take you to Queensberry House, where things are upon a much more moderate scale; are the forms for admission at all like those for Queensbury Lodge?—There is no form of admission there.

2298. Is that house self-supporting, or is it a place of eleemosynary refuge?—It is self-supporting, to a certain extent. We have about 400 *l.* public contributions, and 80 *l.* a year voted by the magistrates out of the police funds, and we generally have about 200 *l.* surplus in the year, so that we are self-supporting. The profits of the Lodge also go to augment the funds of this institution.

2299. But in addition to that, you have 400 *l.* from subscriptions, or donations, or charitable contributions?—Yes.

2300. Have you any return of what has been done at Queensberry House from 1832?—No, I could not detail it, I have only been seven years there. It had existed in full operation when I went, and there was nothing of the kind kept. It had a three-fold purpose to serve. It was a house of refuge for those who had no claim upon the parish, being able-bodied; although they were able-bodied, they were all drunkards; they were clever active women, and could work well, but they could not retain a position as independent servants, because whenever they had liberty, or could command money, they got drunk; they could not keep in a situation. These we employ for all the menial offices of the house; we have about 50 of them working in a sewing hall; we do not make any profit from them. We have to supplement what they earn considerably, because, although we put them to sewing, they are not expert, but we must have work for them of some kind. We have them also at washing, cooking, nursing, and other things. The household work is all done by the destitute. Then we have about 50 incurable people, aged, paralytic, blind; these are mostly mothers and

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fathers of men who have been supporting them, but who could not take them to live in their home when they got married, and therefore they board them with us. There is another class (pensioners,) having small pensions quite inadequate for their support, and men from the army are not at all fitted for work from their long habits of indolence. We board these men for 4 *s.* a week; we have also about 100 tradesmen's wives and daughters as inebriates, who are paid for.

2301. But these are not inebriates?—Yes, these 100 that I speak of are inebriates, the whole of them; the destitute are inebriates too.

2302. You mean these pensioners and all these people?—They are all addicted to drink, all inebriates; we have 300 persons, and out of them we have 250 drunkards.

2303. Of these 250 that are drunkards, have many been in the hands of the police before for drunkenness?—Yes, and even have fallen into their hands while they have been with us. Many of them are sent to us because the husband will not tolerate the nuisance at home. He says, "She may live with you, and you may give her what liberty you may consider proper, but she is not to come home to me." Occasionally they are allowed to get out just to test their strength, and in many instances they fall into the hands of the police after getting drunk.

2304. You say the husbands say, "You may keep them, do not let them come home to us;" but what power have you to prevent them going home to their husbands?—We cannot prevent them; only they are afraid to go home because their husbands are coarse men who would think nothing of kicking them downstairs if they came to the door.

2305. Notwithstanding the unpleasant reception that they are liable to meet with at home they nevertheless desire to get out very frequently?—They desire to get out, and I let them out occasionally. We have certain rules of the institution for those who are willing to make it a home. If they go out and come in under the influence of liquor, they are deprived of liberty for a month. If they come in drunk and have got into the hands of the police, or there is any scandalous thing of that kind, I keep them in for two months.

2306. Then your deprivation of liberty is based upon the fact that if they do not obey you, you simply turn them out, and they won't be so comfortably lodged?—Yes.

2307. That is the influence you have over them?—That is all.

2308. But if you had the power to say not only "You must not go out," but "you shall not go out and you cannot go," the management of your establishment would be more facile to you?—No doubt.

2309. Even for this establishment, which is a *quasi* charitable one, you would desire to be armed with the power of preventing persons going out when you know they would come home again drunk?—Decidedly.

2310. Would it be possible to procure the returns from this house in Canongate; have they kept any records?—No, there has been no record. They are such a changing body. You may have a woman brought in on Saturday and taken home by the Wednesday. We have had them for 20 years consecutively; 12 years, 8 years 10 years are common periods of residence.

2311. Are there any other points upon which you are prepared to speak which I have not asked

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you about; if so, will you favour the Committee with them?—I do not know if I have anything to add of great importance. A few things have occurred to my mind in reference to these unhappy creatures, but I fear I am travelling out of my province in going into them; I refer to the history of their cases; I have observed to a great extent, with those whom I have found to be incurable drunkards, that always in the family connection, either in the father or the mother, or some member of the family, or other relative, there had been insanity, epilepsy, neuralgia, hysteria, or depressed vitality; I have found that these nervous affections were more or less exhibited in the families of these persons. Temperament is a thing that I have long marked; there is an expression of feature, I cannot explain it; it is a lymphatic temperament, at any rate, and when these individuals have taken to drink I have never known them to recover from the habit.

2312. Then you would say there was that sort of expression which the experienced eye recognises in certain forms of insanity?—Yes, but this I consider as an hereditary taint in the family which may lead a person to fall into dissipation very easily. I also find a number of provocatives to dissipation.

2313. I think we hardly want to go into that question of provocatives to dissipation; you had better confine yourself to what you were saying about hereditary inebriety; you have already mentioned the hereditary tendency?—I have not much to say, if you will allow me to continue; I call them provocatives, because I think they arise from extraneous causes where there is no hereditary taint or trace. I find these in the people whom I have had under my charge, resulting from the absence of the husbands from home, such as seafaring men and also commercial travellers, whose wives have been left to fill up their time as best they could, with many an anxious thought about their husbands on the sea, and the others who are travelling in the country. I have also found very many cases arise through the negligence of husbands who have devoted their leisure time to meeting with their companions and enjoying themselves freely, leaving their wives to count the hours of the morning before they return. I have known many women trace their drunkenness to that source and that alone. Another cause is harshness on the part of the husband. An idle life on the part of those who have no children, or have nothing to do but simply to get their husband's meals ready, is another prolific source. And, above all, as forming confirmed habits of intemperance, and that under the sanction of authority, is the case of women in childbed who are ordered stimulants by medical attendants. I would just mention another thing in reference to the use of sundry articles such as chlorodyne. I have found that ladies from over-sensitiveness or exalted irritability of the nervous system, have resorted to the use of chlorodyne in very moderate doses; they have found that it exhilarated them and produced a reaction, and made them feel quite happy. They have gone on repeating the dose until I have known them take an ounce at a time. One lady whom I had, who was a chlorodyne taker, was brought to the house by a gentleman, a relative and a medical man, and he told me what it was. A fortnight after she was in the house I found her

perfectly drunk. I could not fathom the cause of it, but on opening her trunk I got about 60 chlorodyne ounce bottles that had been emptied, and she had taken these, rinsed them in the washhand basin and drank the water, the rinsings of the bottles. On another occasion I found three persons apparently under the influence of drink, and on searching out the matter I found they had got possession of a box of Locock's Pulmonic Wafers, and had divided them among them, and they were all tipsy.

2314. These wafers I believe are known to contain a certain quantity of morphia?—Yes, a great deal of morphia. I might mention that, as a rule, we give up the use of stimulants the moment the person enters the house. We have found no bad consequences arise from that course. There have been instances, a very few, where we have had to allow a little spirits for a night or two, because the extreme wretchedness of the patient was such that it was given with a view to induce sleep if possible.

2315. Given medicinally?—Medicinally.

2316. Mr. Miller.] Have you followed any of the persons whom you have reported to us as having been cured, for any length of time after they have left you?—I have knowledge of them up to the present time by correspondence.

2317. How long?—One left in February 1870, the next left in May 1867.

2318. Will you give us the shortest and the longest?—About 1867.

2319. That is five years?—Yes.

2320. Have you followed that lady since the time she left you?—Yes, I have had either correspondence myself, or have heard of letters from the husband to friends in Edinburgh, and also to persons in the house, to the matron, the chaplain, expressing their thankfulness that she was continuing well.

2321. So that you are satisfied there has been a real cure?—I cannot say that, because these people are easily excited. Whether it be a death or a birth, in fact, whether good news or bad, it has a tendency to upset them. I have one woman in my eye who 14 years ago lost a boy, and she took to drinking from that cause; she was sent to us, and remained about 12 months. She went home, and remained away 13 years, when her husband died, and that sent her all off again.

2322. So that she relapsed?—Yes, just from the strong exciting cause.

2323. One out of the 37 is still with you?—Yes.

2324. Is that woman cured?—Yes.

2325. Being under your superintendence?—Entirely.

2326. Queensberry House is an entirely different establishment from Queensberry Lodge?—Quite separate. It is under the same management, but the institutions are totally distinct.

2327. A considerable number of those who are in Queensberry House, I think you said had been brought before the magistrates?—Yes.

2328. For what purpose; simply for drink?—"Drunk and incapable," as the police phrase it, found on the streets, not able to find their way home.

2329. Had the magistrate the power of sending these people to prison?—Yes; he might send them to prison for a short time. He can fine them 5 s., or give them 24 hours, that is all.

2330. You said they are sometimes sent to you

you for a short time?—That is a different case; I was alluding to husbands whose wives would not consent by any inducement to leave their homes and come to us. The husband cannot get on with the wife at home, she kicks up riots in the house, and he hands her over to the police for a breach of the peace, and when she is brought before the magistrate, he gives her an offer of going to the House of Refuge or going to prison, and if she elects to go to the House of Refuge, she is sent there, and afterwards becomes reconciled to the residence.

2331. Is she there at the public expense, or at the expense of her husband?—At the expense of the husband.

2332. You find that to answer?—Admirably.

2333. And it would be still better if you had power to retain them longer?—Decidedly; all that we want is authority to detain them; I believe the cures would be tenfold.

2334. Can you give us any idea of the time that it would take under strict restraint to cure a habitual drunkard?—I could not.

2335. Your own experience would not lead you to do that?—No, it depends so entirely upon the constitution of the mind; I have known some people, some of those whom I have given as having only been a month with us, who have felt so degraded, and their feelings so lacerated from having been put away from their families and locked up there, that a month has effected a cure. In other cases we found that 12 months did not effect it. In fact there are some cases which would not be cured, however long they were

there; if they could get at the drink they would take it.

2336. Dr. *Lyon Playfair*.] Do you find that husbands as a rule are willing to pay regularly the amount that you charge?—They are thankful to do it.

2337. Is what you charge them a remunerative amount to the Home?—They are not remunerative patients. It depends upon the condition of the husband. For instance, we begin with 4*s.*; the 4*s.* board is not remunerative, it is almost a charity for the poorest class of tradesmen; but those who can give more, such as 5*s.* 6*d.*, 6*s.* 6*d.*, up to 9*s.*, these are remunerative, more or less.

2338. Will 6*s.* pay?—5*s.* 6*d.* will do it.

2339. I think your experience has been, that you have cured 28 per cent. of the inmates that have been with you, 37 out of 132?—Yes.

2340. And you think you might cure a larger number if you could retain them compulsorily?—I have no doubt but that the result would be far more favourable.

2341. “Tenfold” was a mere expression?—A mere expression, but I think the result would be far greater.

2342. That you are aware is a very large percentage of cures as compared with the experience of a great many other institutions?—When we say cured, we speak of how they have gone on to the present time. They may be breaking down now while we speak; we cannot tell; but I say the deterring influence has been such as to effect that; it has staggered them into sobriety.

2343. You have correctly ascertained their history?—Yes.

Mr. JAMES WETHERELL, called in; and Examined.

2344. *Chairman*.] I BELIEVE you are Chief Constable of Leeds?—I am.

2345. How long have you filled that office?—Near upon six years; previously to which I was five years chief constable of Oldham, and some 13 or 14 years previously to that I was in the Leicestershire Constabulary.

2346. It is superfluous to ask whether during that period you have been very largely brought into contact with drunkenness and crimes arising therefrom?—I have, very much.

2347. Have you given your consideration to the laws as they now exist with regard to drunkenness simple and drunkenness connected with breaches of the peace and other offences?—I have.

2348. Have you any return from Leeds on that point?—I have.

2349. What is your opinion of the effect of the existing laws in preventing drunkenness?—In my opinion they are insufficient.

2350. Will you say why?—I think in the first place, there is not sufficient power in the hands of the magistrates to enable them to deal effectually with drunkards. The fine of 5*s.* under the old Act of James, is still in existence with regard to simple drunkenness. Of course, money was of much greater value at that time than it is now, and therefore the penalty is comparatively small now to what it was then.

2351. Have you considered how far the principles of the Habitual Criminals Act with reference to thieves could be applied to public-houses and beerhouses?—I think it might be ap-

plied; I do not see any difficulty in the way. I have applied the Habitual Criminals Act very successfully in Leeds, where it has been the means of expatriating many of our criminals. They have left us, and I imagine if they are dealt with similarly in other places, they will find themselves in great difficulty, and perhaps be coerced into a more honest course of life.

2352. How do you think the principle could be applied to public-houses and beerhouses?—I think you should define an habitual drunkard by a given number of convictions, and then, after registering him as an habitual drunkard, give notice to the publicans of such persons, and if they allow them to drink in their houses to excess, they may be proceeded against as readily as they are now proceeded against for harbouring habitual thieves.

2353. You would first of all define your habitual drunkard?—Yes.

2354. How would you define him?—By the number of convictions in a year, or a given number of years.

2355. Have you at all considered, from your knowledge of the repetition of offences by persons brought before the magistrates, what would be a fair number of times, without pressing too heavily upon the liberty of the subject?—Almost every case differs from each other. There are some men who get drunk so constantly that three or four convictions in a year would be a sufficient definition. Some get drunk by accident, and others from the pure love of drink; they will have it under any circumstances. The latter

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latter are what I should call habitual drunkards, men who get drunk from habit.

2356. It would be necessary, in order to work an Habitual Drunkards Act on your plan, to have a short and emphatic definition?—It would be so.

2357. You say that the cases vary very much?—They do.

2358. With regard to the man who gets drunk on Saturday night, and yet goes to his work sober on Monday morning, and does his work properly and fairly, you would not call him an habitual drunkard, or interfere with him?—No; it is the sotting drinkers who are not satisfied with Saturday night, but would drink Monday, Tuesday, Wednesday and every other day in the week if they could manage it.

2359. Would you accept this as a definition of an habitual drunkard, “a person who either squanders his property, or mismanages his property, or places his family in trouble or distress, transacts his business prejudicially to the interests of his family, his friends, or his creditors, through the use of intoxicating drinks, and takes such liquors to an extent that he incurs a danger of ruining his health, and shortening his life?—There is no doubt about that.

2360. You would have no hesitation in calling him an habitual drunkard?—Certainly not.

2361. If evidence could be produced before a public authority that a person was that, you would consider that he might be fairly classed as an habitual drunkard?—Yes.

2362. You would not interfere with a man who, coming into town on a market day sober went away tipsy?—No, there are many who do that, and never fall into the hands of the police at all. I may say that if persons under the influence of drink go quietly away the police do not interfere with them. If they are incapable of getting away, or are in any danger, the police do interfere with them. They arrest them for their own safety. If they are found committing breaches of the peace, or assaulting persons, and so on, of course the police interfere; but if the man is going quietly away, the police do not apprehend him. Indeed in Leeds, we should not have cells enough to hold them all.

2363. Having once defined the habitual drunkard, do you think it would facilitate matters if printed forms were placed in the hands of the police, so that any person applying for one might have it, and serve it upon a publican, or upon the drunkard himself?—Yes, it would be a very good plan, but especially I think the publican should have notice, because it would so simplify the mode of dealing with him. We have a great difficulty with regard to the charge of “knowingly harbouring;” that has been a cardinal difficulty with the police with regard to publicans, and with regard to many other matters; you want not only the person to be known, but the particular crime. It is necessary that the publican should clearly understand it, so that there may be no difficulty in dealing with him.

2364. I believe as a rule the habitual thief haunts certain localities?—Yes, so does the habitual drunkard.

2365. You do not consider him a particularly migratory animal?—Not at all. We have no difficulty in putting our hands upon such persons, and we should have no difficulty in putting our hands upon habitual drunkards; they do not wander, as a rule. They have certain houses that they frequent, I mean those drunken sots.

2366. You say that the method of treating habitual drunkards by light sentences is useless. What else would you suggest to the Committee?—I think the magistrate might fairly be entrusted with discretionary power to impose a larger fine for the first cases of simple drunkenness; instead of 5 s. I would make it 40 s. or even higher than that, giving discretionary power to the magistrates. When a man has been convicted once or twice, I would increase the fine, and in default sentence the person to imprisonment for a long period. You might have a fine of 5 l. I am also strongly in favour of calling upon a man to find sureties as well; I think that would have a very good effect.

2367. After a certain number of ordinary convictions, compelling a man to find sureties, and sending him to a place of detention in default, you think would answer the purpose?—I think so. I think it would make the man more careful when he saw the consequences of his act.

2368. And it would make those who are about him more careful, would it not?—Yes, because they would suffer with him to some extent.

2369. Has your attention been called to the question of the mischief produced by adulteration?—I am sorry to say I have seen very serious consequences arising from it in large towns, especially in Leeds and in Oldham.

2370. With regard to both beer and spirits?—Both beer and spirits. Spirits on account of their newness and rawness have an almost instantaneous effect upon the man who takes them; the spirit is bought because it tastes fiery and strong, and it is sold when it ought not to be.

2371. You are aware perhaps that the newer the spirit is, the greater quantity of poisonous oil it contains?—Yes.

2372. It is in that respect that you allude to the newness and rawness of spirits?—Yes, the quantity of fassel oil in Rhenish brandies, for instance, is very pernicious.

2373. Will you tell the Committee to what extent you have noticed the effects of this adulteration?—I have seen men come out of drinking places staring about them vacantly, and falling down almost as suddenly as if they were shot. I attribute that to their imbibing these new spirits, probably upon a large quantity of beer which they have taken beforehand. They may have gone to the beerhouse first, got uncomfortably full, and then have taken raw whisky, which has acted in such a manner upon them on coming into the fresh air, that they instantly fall to the ground in a state of stupor. Then the next morning you observe a livid hue in the face. Where it has not the instantaneous effect of producing stupidity, it produces frenzy, and under the influence of that they commit very serious offences; such as stabbing and violent assaults.

2374. It is not merely the dementia of drink, but of poisoned drink?—Yes.

2375. Your idea of legislation necessarily leads up to a large amount of imprisonment?—Yes.

2376. Because you do not expect that these persons would be able to pay large fines?—No, but I should render it optional. I would give the magistrates discretionary power.

2377. Have you considered the feasibility of establishing separate wards in prisons or in work-houses for this particular class of cases?—I have not gone into that much.

2378. You have no knowledge whether such places

places could be made to pay their way, in whole or in part?—No, I have not.

2379. Are you acquainted with the results of prison labour in that respect?—Yes.

2380. Would it be fair to expect from a drunkard who was sent every three or four months to a place of this sort, that he should be able to earn as much as an habitual criminal?—I should say so. If his drink were taken away, I think he would soon be able to labour. But the great difficulty would be in respect of his family which would suffer to a very serious extent if the husband were sent away.

2381. The family would not suffer because the man was put to work, but because he was detained?—Yes.

2382. What is the condition of the family of the habitual drunkard now?—Wretched.

2383. Are there not many instances in which the drunken father or the drunken mother being away, the family is vastly better off?—Very likely. Many of the children of such parents have to be sent to industrial schools and reformatories in consequence of the bad habits of their parents, and the negligence with which the children are treated.

2384. You certainly do not speak of the present system in any terms of commendation on account of its economy?—Not at all.

2385. Between the cost of the recurrent sentences, and the pauperism of the family, the public is pretty handsomely mulcted?—Certainly.

2386. I believe different boroughs and different counties vary in their method of making returns?—Very much.

2387. And it is therefore rather difficult to institute a fair comparison between different localities?—Very difficult.

2388. Do you not think that it would be very desirable that not merely these offences, but all offences should be recorded in all places upon one and the same system?—I have advocated that for a very long period. I have in all my reports drawn attention to the very inaccurate way in which returns of this character are generally compiled.

2389. In the evidence which was given before us a few days ago, a gentleman connected with the police stated, that over and above the number of persons appearing in the returns, at least 20,000 pass through the police office without going before the magistrates at all?—With regard to the boroughs that I have had to deal with, every offence has been duly recorded, either as a refused charge, or a charge coming before a magistrate. I may state, that in Leeds, the refused charges are not numerous. In the case of a refused charge my attention is drawn to it, and I require an explanation as to why the man was apprehended at all. I know that it has been the custom very often to discharge prisoners who are charged with drunkenness, without taking them before a magistrate at all.

2390. Colonel *Brise*. [It has not been so at Leeds?—No.

2391. Mr. *Samuelson*.] If a list of habitual drunkards were given to publicans, and they were forbidden under severe penalties to supply the persons whose names appeared on that list with drink, do you not think that as these men became known, they would render the law inoperative by changing the place which they frequented, and that so frequently that the landlords would not be

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able to recognise them?—That might be so in a degree; but my experience of habitual drunkards has been that they are generally to be found in a particular locality. I would serve the notices upon all the publicans in the borough, or in the district where there was any probability of the offence being committed.

2392. The great object of the habitual drunkard is, of course, to get drink?—Yes.

2393. And if the publicans in the district which he has been in the habit of frequenting have been warned against him, and will render themselves liable to penalties if they supply him, is it not natural to suppose that he will go a long way to get drink rather than not get it at all?—He might do so; but the district police would still find him out.

2394. The police in the other districts would know him also?—Yes.

2395. Mr. *Akroyd*.] You received from me a return presented to the House of Commons, of habitual drunkards?—Yes.

2396. Have you examined it, and drawn a comparison between the towns of Sheffield and Leeds as regards the number of convictions?—I have gone into that question.

2397. No doubt you have observed in the report the striking difference between those two towns, which do not differ materially in population, as regards the number of convictions, the number at Leeds being much larger than that at Sheffield?—There is a great difference in that respect in the year for which the return is compiled.

2398. Can you explain or give any reason why there should be that great difference, not in the number of persons charged, but in the number of convictions?—There appears to be a larger number of persons discharged in Sheffield for drunkenness than in Leeds: that would make some little difference. In Leeds very few comparatively are discharged, and that makes the convictions appear higher in number than those in Sheffield.

2399. Do you mean discharged after conviction?—Discharged without conviction. Out of the 1,940 charges in that year in Leeds, there were 1,769 convictions. In Sheffield the number was 904. In the year 1871 the discharges in Leeds out of the whole number of persons proceeded against for drunkenness amounted to six per cent. while the discharges in Sheffield were 14 per cent.; consequently, the ratio of convictions at Leeds to the whole number of persons proceeded against is higher than in Sheffield. Then, probably, there are more strangers in Leeds than in Sheffield. I find, from our returns of cases of drunkenness in 1871, we had 284 strangers. Leeds is also a central town in the riding, and large markets are held, and a great number of people who are non-residents, although locally connected, frequent Leeds for many purposes. There are fewer public-houses and fewer beer-houses in Leeds than in Sheffield.

2400. I will put into your hands a letter from the chief constable of Sheffield, giving the number of public-houses and beerhouses in that town. Will you state what the figures are?—There are 558 public-houses, 831 beerhouses, and 159 beer dealers.

2401. Mr. *Miller*.] Do you know the population of Sheffield?—It is stated as 239,947. The number of licensed victuallers in Leeds is 369,

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and beerhouses of all kinds 622. The population of Leeds is 259,201.

2402. Mr. *Akroyd*.] So that in fact, although you have a smaller number of public-houses and beer-shops in Leeds than in Sheffield, the convictions for drunkenness are greater?—Yes; that of course depends entirely upon the action of the police; they may take a different view of matters in Sheffield from what we do in Leeds. My instruction to constables is that any person found drunk and incapable, or drunk and committing a breach of the peace, should be apprehended and taken before a magistrate; whether they do that in Sheffield I do not know. There is the fact I alluded to before of the greater number of discharges in Sheffield than Leeds.

2403. Assuming these figures to be approximately correct, one might fairly infer from them that the amount of drunkenness does not depend on the number of public-houses or beerhouses; the number of opportunities that a man has for taking intoxicating drinks?—Not at all, so far as the return is concerned. There is a variation in the case of almost every borough; I pointed that out very forcibly some two or three years ago.

2404. You properly laid great stress, in answer to a previous question, upon having some uniform classification for offences throughout the country. Did you observe, in reading the letter from the chief constable of Sheffield, that he also lays some stress on the same necessity for uniformity?—Certainly.

2405. You have also spoken forcibly and clearly about the necessity of a simple definition of habitual drunkards?—Yes.

2406. And I think in your letter to myself, you there hint that probably a third conviction within 12 months might be a simple definition of an habitual drunkard; is that your opinion?—In some cases.

2407. If that were accepted as a definition, it would be a very simple one?—Yes.

2408. And you think, although it might not apply in all cases, it might generally apply?—If you were to make the definition to depend upon a number of convictions, I think it would be almost a good plan to leave it discretionary with the magistrates; if a man had been convicted three times for drunkenness the magistrate should have the power to declare in his judgment that the offender was an habitual drunkard. The cases before the magistrates differ so in degree; almost every case.

2409. So that you would not lay down a hard and fast line?—No.

2410. If a man was convicted three times in the year, he should be considered an habitual drunkard; of course there might be exceptional cases?—Yes.

2411. Therefore you would leave the interpretation of the word with the magistrate?—Yes; I think after the third conviction, the magistrate might say whether or not he was to be deemed an habitual drunkard.

2412. If he considered there were exceptional reasons for the man having three convictions, he might exempt the man for the time being?—Exactly. You will remember probably in the Habitual Criminals Act there was a hard and fast line made in regard to public-houses. It was there enacted that upon a publican being convicted of harbouring thieves, the consequence of that conviction should be the forfeiture of his license, and the justices had no discretion. Now

that might in some cases work with great hardship against a publican; therefore in the Crimes Prevention Act that is remedied, and the magistrate, I believe, has a power to say whether or not the license shall be forfeited. The same law is enacted, in fact, with the exception of leaving it discretionary with the justice to say whether the license should go with the conviction or not. Hard and fast lines are rather awkward sometimes.

2413. Generally you consider them objectionable?—Generally.

2414. You have already said in your evidence that you see no great difficulty, in the event of being able to define what is an habitual drunkard, in extending the Habitual Criminals Act so that it shall apply to publicans who harbour habitual drunkards?—Yes.

2415. You are in favour of such extension?—Yes.

2416. You speak of the effect of spirits raw and new, that sudden effect on the man who drinks them?—Yes.

2417. Do not you sometimes find that effect is increased by adulteration?—Yes, adulteration in the beer, before the man takes the spirit; there is more adulteration in beer than in spirits.

2418. There is adulteration in spirit?—No doubt, to some extent; the great mischief is in the publican buying them too new, almost fresh from the still, because they are very strong to the palate, and they bear more toning down.

2419. I suppose the adulteration of spirits is usually by a strong narcotic, that makes a man half mad and utterly unconscious of what he does?—Yes, some men do not know what they have done, they have told me so, and in very serious cases of stabbing they have been utterly unable to account for their position the next morning.

2420. You would urgently recommend that very stringent precautions should be taken against the adulteration of beer and spirits?—Yes.

2421. Mr. *Miller*.] I think you said that the number of committals or times which a man must be brought before the magistrate in order to constitute him an habitual drunkard, you would leave to the magistrates themselves?—After a certain number they should have a discretionary power.

2422. Would you give a maximum or minimum?—I think after three convictions in one year, it should be discretionary to say whether a man is or is not an habitual drunkard. If he was ordered to be registered as an habitual drunkard, notice should be given to all the publicans of the district.

2423. Would you not find a great variety also in the minds of magistrates as to what formed an habitual drunkard?—No doubt of it.

2424. So that you could not in that way arrive at any very definite rule?—No; probably that would operate in some measure against it.

2425. You get apprehended by your men all who are on the streets incapable by drink?—Any person found lying in the street incapable, and running any risk of danger to himself by the state in which he is, would be apprehended.

2426. Is that man brought before the magistrate the next day?—Yes.

2427. And punished?—Yes.

2428. Invariably?—Invariably, with us.

2429. And that constitutes the difference between your system and some other systems?—Probably so.

2430. What

2430. What punishment, as a rule, do you give?—Five shillings is the maximum, or three days for simple drunkenness, and 40s. for drunkenness accompanied with any breach of the peace, or anything of a disorderly character.

2431. Your idea I think is that habitual drunkards should be registered, and their names made known to the publicans in the borough?—Yes.

2432. How would you manage to make those people known to the publicans?—By simply giving the publicans a written document, or printed notice.

2433. How would the publican know?—It is surprising what a little difficulty we find in that respect; as a matter of practice it is not at all difficult.

2434. From your experience there would be no difficulty?—I do not think there would; with regard to habitual criminals, the constables go into the public-houses and point out these men once or twice, and then if the publican harbours them after having them pointed out he is convicted; but they generally know them without the police being at the trouble of pointing them out.

2435. You would give your men the same power of entering the public-houses to see whether those habitual drunkards are furnished with liquor or not?—They have power now to enter at all times under all circumstances.

2436. Making their names known to the police they would look after them the same as with habitual criminals?—Quite so.

2437. Mr. *Clare Read*.] You say that British brandy is a bad spirit; is that on account of the newness or the adulteration?—It is the newness; I mean the Rhenish brandy; it is a very raw spirit, very pernicious, and full of fustel oil.

2438. What time do your beer-shops close in Leeds?—Eleven at night.

2439. And the public-houses?—At one o'clock.

2440. Do you often find that people half-drunk with beer, when shut out of the beer-shops, go to the public-houses?—It is the invariable rule.

2441. What is the result?—Drunkenness.

2442. You think that a glass of spirit after bad beer produces——?—Instantaneous drunkenness.

2443. In any alteration of the law you would advise that beerhouses and public-houses should be closed at the same time?—At the same time. This return may apply somewhat to your questions. It is a return that I made for the 12 months ending 28 February 1871, and which gives for every hour in the 24 the number of persons who were apprehended for drunkenness simply; for drunkenness combined with disorderly conduct; and for drunkenness and assaults on the police. At noon there were 15; from noon to one o'clock in the day, 24; from one to two, 24; from two to three, 48; from three to four, 64; from four to five, 69; from five to six, 85; from six to seven, 116; from seven to eight, 139; from eight to nine, 134; from nine to ten, 127; from ten to eleven, 241; from eleven to twelve, midnight, 352; from twelve to one o'clock in the morning, when our houses close, 306; then they fall off in the next hour to 146; the next, 37; the next, 8; the next, 1; and then 6 and 7 is blank; to eight o'clock in the morning, 3; to nine o'clock in the morning, 5; and to ten o'clock, 1; to eleven o'clock, 8. That is for the whole year.

2444. Is that the average in one day?—That is for the whole year.

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2445. So that the three hours between 10 and one are the hours when the greatest number of persons are apprehended for these offences?—Yes.

2446. Mr. *Miller*.] That is the average of the whole year?—This is what occurred for the whole year.

2447. Mr. *Clare Read*.] You have reason to believe that the beer is sold very much adulterated in some of the beerhouses?—In the lower neighbourhoods, no doubt.

2448. And the spirits are sold very new?—Yes.

2449. And the two together make a man very drunk?—Yes.

2450. Dr. *Lyon Playfair*.] Do you think that there is much habitual drunkenness in Leeds that does not come under the cognisance of the police at all?—Yes; there would be several cases which do not get apprehended, where it is done quietly at home.

2451. Only several cases or a great many cases?—Speaking from my knowledge of the circumstances, I do not know of many cases.

2452. You think that if your mode of defining an habitual drunkard, as being a drunkard who came under a certain number of convictions, was adopted, that would cover the whole ground sufficiently?—I think it would, at least it would have a very large effect.

2453. Then the definition which the Honourable Chairman read to you would complete those cases which would not come under the action of the police?—Yes.

2454. Where was it you pointed out forcibly, as you stated, the fact that drunkenness was independent of the number of houses opened in a town or a district?—That was in a letter written by me in consequence of some observations made in the House of Commons in May 1869. I there state: "Bradford, for instance, specially alluded to by Mr. Henley, as coming out very handsomely," shows only 191 drunken persons proceeded against in 1867, in a population of 130,000, against 1,340 for Leeds; and an aggregate of 1,504 for the smaller Yorkshire boroughs of Dewsbury, Halifax, Huddersfield, York, and Middlesbrough; the population of Leeds being about 246,000, and that of the united boroughs about 160,000; all these towns are much alike in character of population and trade, but what profligate toppers do the inhabitants of the latter boroughs appear in comparison with Bradford? Yet I very much doubt whether any person hereabouts would undertake the championship of Bradford against other towns in respect of sobriety. Can anyone suggest a reason why the number of persons apprehended for drunkenness in Manchester jumps from 5,639 in 1866, to 9,742 in 1867, while similar offences for the county of Lancaster and borough of Liverpool, exhibit no material difference; why the adjoining borough of Salford, with inhabitants of the same class, should return the comparatively small number of 455 drunkards in a population of about 120,000, or equal to one-fourth of that of Manchester; or why such offences in Warrington spring in one year from 476 to 727, and those for the metropolis recede from 20,330 to 16,608.

2455. What explanation do you give?—The diversity that exists in making the criminal returns, in the mode of compiling them.

2456. You do not think that the mere diminution

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tion of public-houses to a very large extent restrains drunkenness?—I do; I think the fewer beerhouses there are, and the better they are conducted, the less there will be of drunkenness.

2457. You have not had any experience which would confirm the evidence given by the chief constable of Liverpool, that though the number of beerhouses had very largely decreased in his borough, the cases of drunkenness had considerably increased?—No; it has been slightly the reverse with us; as the beerhouses have decreased our drunkenness has slightly decreased.

2458. Can you give us the figures?—Yes; in the year ending in 1871 there were about 1,600 persons proceeded against for drunkenness; in the previous year there were nearly 2,000.

2459. And do you attribute that to the fewer beerhouses?—Not entirely; because in the year that there was the greatest reduction in the number of beerhouses, there was the greatest number of drunkards proceeded against. In the year 1869-70, there was a reduction of the beerhouses from 674 to 647; and in that year occurs the largest number of proceedings against persons for drunkenness that we ever had in the borough of Leeds; this might be somewhat accounted for by the adulterated state of the liquor.

2460. However, you have no very great difference there?—No; it is not very great.

2461. Colonel Brise.] I think you said that your orders to the police are, that if a man is drunk and incapable he is to be apprehended, and that if he is drunk and riotous he is to be taken before the magistrates?—In both cases they must be apprehended.

2462. In answer to an Honourable Member, you said that if a man was drunk and incapable he was to be apprehended and also taken before the magistrates?—Yes.

2463. Then there is no difference in the two cases?—In both cases they must be taken before a magistrate and dealt with. The police have no power to discharge any persons apprehended for drunkenness. They must in both cases go before the magistrates, whether for being drunk and incapable, or drunk and disorderly.

2464. Then actually there is no difference?—Only a difference in the mode of dealing with them. In the one case the maximum penalty is 5s., and in the other 40s.; that is the only difference.

2465. The evidence we had from Sheffield was rather to the effect that the increased vigilance of the police was the reason of there being less drunkenness in the town; but I understand you to say that it is owing entirely to the men being apprehended in Sheffield without being taken before the magistrates and convicted?—I do not know whether in Sheffield persons are liberated without going before the magistrates. All our cases come before the magistrates, and are recorded in the criminal returns.

2466. You have not given us your opinion as to the desirability of establishing houses of refuge or reformatories for habitual drunkards. Are you of opinion that that would be a very valuable mode of treatment?—There is no doubt it would operate somewhat to reclaim them.

2467. How long a period of confinement do you think would be necessary?—I could not form an opinion upon that. I have not a very strong faith in reclaiming drunkards.

2468. Mr. Samuelson.] You say it is the in-

variable rule when a beershop is shut up, that the drinkers adjourn to the public-house?—Yes.

2469. Then I suppose you would consider it a good thing if the beerhouse and the public-house were closed at the same time?—There ought to be no difference, in my opinion.

2470. What effect do you think would be produced by the prohibition of the sale of drink for consumption on the premises during the worst hours of the day or night?—I believe it would have an effect in promoting good order. There would be less street drunkenness if the houses were closed earlier.

2471. Do you think that any injustice would be done to the working-classes if at certain hours of the day they were not allowed to assemble in public-houses for the purposes of drinking, but were allowed to fetch the drink away and take it to their own homes during those hours which by the returns prove to be the worst?—I should say that no working man ought to be in the public-house after 11 o'clock at night. If he is, he is there for no good to himself or his family.

2472. Dr. L. Playfair.] I suppose you mean no man, whether a working man or not?—I think it would apply to all persons.

2473. Mr. Samuelson.] I suppose the difficulty in making a rule would be, that we should be told that gentlemen have their clubs where they can get what they want?—That is so.

2474. Colonel Brise.] You think it would not be any hardship to close the house at that hour in Leeds?—I cannot see any great hardship to any one. I think it would conduce greatly to peace and good order.

2475. Mr. Miller.] You would close the houses earlier?—Yes. I have always thought it would be desirable.

2476. What hour would you say?—I would not have it later than 11 o'clock.

2477. Mr. Samuelson.] I suppose there is another reason why the returns of convictions are not in proportion to the number of public-houses, or to the population. It may be that in some towns the occupation pursued by the poorer classes induces habits of drinking more than in others?—No doubt. In all our large northern boroughs there is more drunkenness probably than in the southern boroughs.

2478. Is it not found that the sedentary occupation produces more drunkenness than out-of-door occupation?—I think very probably it does. Then there is a great deal of money earned now, and a great proportion of that goes to the public-house.

2479. Do the men abstain from working in Leeds during several days in the week, now that they earn high wages?—A great many do not work on the Monday; a great many forge men, for instance.

2480. Do you think that by their habit of drinking on certain days in the week they reduce the total amount of the wages they receive to nearly the same amount that they received before, when they were not able to give up two days' work?—I can hardly answer that. There is no doubt a considerable reduction in consequence of the habit of drinking. They are earning now nearly double what they were earning a short time ago.

2481. Mr. C. Read.] How long ago?—I dare say they are earning from 25 to 30 per cent. more than they earned six or eight years ago.

2482. Colonel Brise.] You think it would be
not

no hardship to close the public-houses at 11 o'clock in Leeds. Do you think it would be a hardship to close them at a still earlier hour?—I think if you attempted to close them earlier there would be so much opposition that the object might be defeated; it is better to go gradually; in time, perhaps, you might get to ten o'clock, if you began at 11.

2483. *Dr. Lyon Playfair.*] When do the theatres shut in Leeds?—Any time before 12 o'clock; about 11.

2484. Would it not be a hardship that a working man, coming from the theatre, should not be able to refresh himself?—I do not see why he needs it, as he had opportunities of obtaining it at the theatre.

2485. *Colonel Brise.*] What is the earliest hour at which you could close the public-houses in rural districts in your division of the county?—Our division of the county is a very peculiar one; it is nearly all town. I think if we tried 11 o'clock there would be more chance of succeeding than if we tried an earlier hour. For my own part, I think that the sooner public-houses are closed the better it is for peace and good order.

2486. Do you think in agricultural districts it is necessary to have a public-house open as late as that?—I do not think there is any necessity for it.

2487. *Mr. Samuelson.*] Do you think it would tend to reduce drunkenness if drink was not allowed to be sold at places of entertainment, theatres, music-halls, and so on?—I think that drink should not be sold at concert halls; I think they should be conducted without drink.

2488. Do you not think that almost as many persons would attend them in that case?—I think so.

2489. And so would be kept out of the public-houses, as well as prevented getting drunk there?—Yes; I think that supplying drink in concert halls has a very bad effect.

2490. *Mr. W. H. Gladstone.*] You have no doubt that the rise of wages has had the effect of increasing drunkenness?—I have no doubt of it.

2491. I do not think you have suggested any increase in the existing penalties for repeated cases of simple drunkenness?—I would have a maximum penalty of 40 s., and a maximum of 5 l. for repeated offences, leaving it to the discretion of the justices.

2492. Do you propose that for the first offence, or the second, or the third?—If you had a maximum penalty of 5 l. for persons found drunk and disorderly, or committing a breach of the peace, that would enable the magistrate to meet all classes of cases.

2493. You would have a maximum of 40 s. for a second or a third conviction for simple drunkenness?—Yes.

2494. After you have ascertained your habitual drunkard, in what way would you propose to deal with him?—You could commit him to prison or fine him to any amount. In cases where a man comes before the magistrates very often (one person in Leeds has been up before the magistrates nearly 100 times), in such cases as those I should not have much difficulty in applying the penalties of the Vagrant Act.

2495. *Mr. Ackroyd.*] In the letter which you sent me on the 22nd of April you gave a return of the number of public-houses and beerhouses in order to show the result of the Wine and

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Beerhouses' Act; you say that in 1868 the number of licensed victuallers in Leeds was 372; in 1869, 375; in 1870, 374; in 1871, 369?—Yes; they do not vary much.

2496. Then the number of wine and beerhouses in 1868 was 770; in 1869, 674; in 1870, 647; in 1871, 622?—Yes.

2497. So that the number of beerhouses was about 50 less in 1871 than in 1868, although the population had increased materially?—Yes about 150.

2498. May I ask if this decrease in the licensed public-houses and in the beerhouses at all diminishes the amount of drunkenness or the number of convictions?—No; you will see that the return of drunkenness has been about the same. The operation of the Wine and Beerhouses Act in Leeds has been that better order has been maintained in these houses, less drunkenness has existed in them, and less harbouring of improper characters. We deal with landlords of beerhouses and public-houses in Leeds for unlawfully permitting drunkenness; I speak of that most strongly, because I believe there is no worse offence committed by publicans than permitting persons to get drunk in their houses; it is the source of all the mischief outside. We have therefore dealt rather sharply with that offence in Leeds. There are very few discharges take place in these cases. But drunkenness, strange to say, has not materially decreased; I mean the number of persons apprehended.

2499. In fact, the Wine and Beerhouses Act puts the beersellers and licensed victuallers on their good behaviour, making them anxious not to commit an offence against their licenses?—Yes; that Act of Parliament enabled us to do a great deal of good.

2500. The number of beerhouses in 1868 was 770 as compared with 622 in 1871; yet there has been no proportionate decrease in the number of convictions for drunkenness?—No.

2501. *Mr. C. Read.*] Perhaps you would imagine that there might have been more drunkenness if they had not decreased the public-houses?—Possibly it might be so. We have had three years of very good trade in Leeds, and that has increased the offence of drunkenness.

2502. *Chairman.*] Amongst the other causes has the shortening of the hours of labour had anything to do with the increase of drunkenness?—Yes; a man has time now on Saturday to get drunk twice before he goes to bed.

2503. With regard to the hours to which you would restrict the beer trade, would you place any power in the hands of the magistrates to vary them for individual houses?—I would. There, again, a hard-and-fast line might not be desirable. Although you may, as a general rule, close all public-houses at 11 o'clock, there would be a hardship in regard to certain trades if 11 o'clock was rigidly fixed; and I think the magistrates should have power to vary the hours as circumstances required.

2504. Would it not be a hardship to prevent a man, who started upon his journey at 2 o'clock in the morning with a load of corn to bring to the Leeds market, if he found he could get nothing until half-past 7 or 8 in the morning?—Yes; and that is why I would give power to the magistrates to vary the hours. Such a man may better be deemed a traveller than a great many others who are now so called.

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2505. You stated that every case occurring before you is recorded by the magistrates?—Yes.

2506. In the estreating of sureties, one of the great difficulties is to find a record of the first offence, is it not?—Yes.

2507. Then you would make every magistrate's court a court of record?—Yes.

2508. And in that way you would get rid of the roundabout process of having to go to Quarter Sessions for estreating his recognisances?—Yes; it is a most expensive and a most inoperative mode of proceeding.

Mr. THOMAS P. NELSON, called in ; and further Examined.

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Nelson.
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2509. *Chairman.*] I BELIEVE you are now prepared to give an average of the period of residence of persons in the Queensberry Lodge; you have given a list of 149 inmates; from that number you deduct 17 who are now in the house?—Yes.

2510. That will leave 132?—Yes.

2511. And the average duration of those 132 is about three months?—Yes.

2512. The average duration of those who have been cured is eight months?—Yes.

2513. If you deduct the 37 cures from the 132 cases, that leaves 95, and the average duration of

their period of residence has been a little more than one month?—Yes.

2514. Whereas those who have been cured have had an average residence of 224 days?—Yes.

2515. That is a residence of one month as against eight months?—Yes.

2516. Therefore you are of opinion that the very short residences have been inoperative?—That is my contention.

2517. And you desire to have the power of strengthening and lengthening these residences?—Yes.

Mr. JOHN HURMAN, called in ; and Examined.

Mr.
J. Hurman.
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2518. *Chairman.*] YOU are at this time, I believe, engaged in trade?—I am.

2519. At one period of your life you were a pharmaceutical chemist?—Many years.

2520. At another period of your life you conducted a home for inebriates?—A temperance home.

2521. In conducting that home did you keep any books or accounts of the persons who were your inmates?—I have the number of the names; I was only two years in the work.

2522. I believe you offered your evidence here from the impression which was made upon you of the necessity of some effort being made for the restoration of inebriates other than the legislative enactments that now exist?—Decidedly.

2523. When you were in practice as a chemist was your attention called to the question of alcoholic drinks?—For many years.

2524. In what way?—I was frequently applied to for a remedy to destroy the craving for alcoholic liquors by individuals themselves, and also by the friends of individuals who were addicted to habitual drunkenness.

2525. You mean that persons came to you for a medicinal dram over the counter?—Not for a dram; they asked for something to take away the desire for alcoholic stimulants.

2526. I believe you also paid considerable attention to the work which has been done on the other side of the Atlantic with regard to these cases?—My attention, some years ago, was particularly drawn to that subject from a report that I received; and from that time I felt a desire to make an effort, in consequence of the great number of persons I knew in the town in which I resided, who were some of the best mechanics and tradesmen, and who would willingly be delivered from this habit, if possible. On reading these statements, as to the success attending the treatment in America, I made a small effort and opened this home as a temperance home. It was in a very healthy district, and there were other persons associated with the inebriates. I had

some 12 or 14 persons who sought refuge under my roof.

2527. How long was your home opened?—Two years, for the treatment of cases of this kind.

2528. Will you state the number of inmates?—I had 13 altogether, especially of this class.

2529. What became of those 13?—Five are continuing well to the present time; two are dead: they relapsed in consequence of the time being too short. One was a lady of position and education. She was with me six months. We had no difficulty whatever with her; she was most industrious and kind, and quite a nurse to the others, and for six months was perfectly free from any desire to drink. But directly she was at liberty she had given way to drink again, and had run into such an excess that she had literally destroyed herself. She was a young woman about 33 years of age. Some three or four cases have relapsed, and there are two of which I have had no tidings. The last tidings I received from one I had from a relative; the lady had been home for a short time, and they considered her in better health than she had been known to be in before. She had been in three or four water establishments before she came to me as a perfectly incurable case. That was the last tidings I had of her from her brother, who was a gentleman in good position. They considered her better than they had ever known her.

2530. Upon the limited scale upon which you have been acting, have you formed any idea of what length of time would be a fair average time for the recovery of an inebriate?—I will certainly say not less than 12 months; in one case a person came under my care for three weeks, having been for 10 years a confirmed drunkard; I gave him a remedy which I use in such cases. I do not believe in shutting the patients up; they must be treated like any other disease, that is my idea, and then by degrees you may overcome the disease, and the patients may be perfectly cured. This person, on hearing that I was summoned to the House of Commons, wrote me this letter, which

which I read as showing the gratitude of persons of this class to those who have assisted them.

2531. You say this is a case which you cured in a few weeks, after the person had been 10 years a confirmed drunkard?—Yes.

2532. What length of time has elapsed between the period of cure, as you term it, and the writing of the letter?—The patient was discharged last August, and the letter is dated 13th March 1872. “My dear Sir.—From what you told me to day I understand you wish me to state the advantages I derived from my short residence, less than three weeks, in your home; I do not exaggerate when I state that before placing myself, by the advice of Dr. ———, under your control, I was completely lost as a useful member of society, and had over a period of several years gradually arrived at that state; and that but for some such restraint I firmly believe I would never have been able to have recovered; and that although only three weeks under your care I was enabled entirely to throw off the evil habits I had contracted, and have never since then, now about eight months, felt the slightest inclination for stimulants. I will not attempt to describe the great blessing your home and your care and kindness have been to me and my family, but I often wish there were many of such places, and that people could be induced or even compelled to come in, thousands might be saved. I beg once more to thank you and your family for your great care and kindness, and allow me to remain.”

2533. Notwithstanding that, you still think 12 months should be the maximum residence in a reformatory?—That would be my experience of all other cases that came under my care wherever relapses occurred.

2534. Was your house conducted on purely temperance principles?—Purely.

2535. Did you never make use of stimulants in any shape; even curatively?—Not in any shape or form as a medicine. It was not in my establishment; in any medicine or compound, or anything of the kind, nothing of the kind was admitted.

2536. Had you any other patients within your walls besides inebriates?—Yes.

2537. They are not included, of course, here?—No.

2538. Have you formed an opinion of what kind of places are most likely to be successful?—My experience is this; persons who have been under my care have been in a very good position in society; highly educated ladies belonging to some of the best families in the country. I have never alluded to their past history. After they have been with me two or three days they have no desire for stimulants, and some are very often exceedingly agreeable and pleasing. What they require is a home of a high moral character, the managers coming into daily contact with them, cheering, encouraging, and sympathising with them, and helping them out of their difficulty. We find they are exceedingly sensitive, and require great judgment on the part of those who have the management in helping them to a better mode of life.

2539. That is your idea of the kind of influence that should be brought to bear upon those who are in these homes; have you experienced any particular difficulties in carrying out the work?—The difficulties would be of several kinds. I have here letters of application from more than 100 persons; but very often these individuals

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have become impoverished and their means curtailed, so that when we have come to the question of terms, they have been unable to pay the requisite sum. In the case of others, application is made by their friends, who take every step but the last, that of getting the consent of the individual. I resolved not to take any under my care without giving them full liberty to leave at any moment. If during the night they said, “We wish to go away to-morrow;” I said, “I will accompany you home.” I had no bolts or bars, or high walls. They moved about my premises and about the district. Of course there was a kind of supervision which I and my family understood. They were made to feel that they were at liberty, and yet under an influence, apparently unseen, but successful.

2540. That is a difficulty either financial or personal; it is not a difficulty that the law throws in your way?—The legal difficulty is this: persons cannot be retained without their full consent. Many would have come if the friends could have induced them, but in consequence of the friends not having the law to enable them to do so, they are still remaining in a state of intoxication.

2541. Supposing you were now carrying on your home, would you desire to be furnished with any other than moral and persuasive influence in retaining those who you know on going out would go back to drink?—Certainly, I would.

2542. What power would you wish to be furnished with?—I do not know how it may be used, but there should be a power of retaining those persons who are a nuisance to others and who are bringing destruction to their families, for a period of six, or nine, or twelve months.

2543. Supposing a man to put his wife with you, or a wife to put her husband with you, on account of inebriate habits, you would wish to be able to keep him, or her, from going out, and from returning to drink, until there has been a sufficiently long period of abstinence from intoxicating drinks?—Yes, to get the health thoroughly re-established.

2544. Then that power must be the power of locking the door at times when you think the person is coming to mischief?—Just so.

2545. That is the power of retention?—Yes.

2546. And if that power were placed in your hands you think that not only you would get a considerable number of inmates, but that you would cure a larger proportion?—There is no doubt about it.

2547. Do you believe it would be possible to get persons to remain 12 months under such terms?—They would be obliged.

2548. What I understand is, that you receive only voluntary cases?—Just so.

2549. Meaning by that those who come in either at their own wish, or at the persuasion of their friends. You, nevertheless, would wish to have power to detain those persons, if you think their going out would lead to a relapse into drink?—Certainly.

2550. Do you think persons would come in, or that their friends would send them to a reformatory if you had power to detain them for a period of 12 months?—I have no doubt about it.

2551. Even taking that as a minimum?—Yes. I made arrangements with the friends of nearly the whole of these for 12 months. It is no use for me, as a rule (there are exceptions), to take

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them for a less period. In consequence of excesses, the whole of the functions of the body are more or less diseased, and until there has been a thorough repair of the system, in every shape and form, for a very considerable period, there can be no cure. By such a course, they become morally, physically, mentally stronger. The longer you retain them the more respect they get for themselves, and the greater the hope is that they will not return to their former habits.

2552. Supposing the friends of the parties to comply with what was required of them, and you had power to detain them upon an emergency, do you think you would turn out anything like the same proportion of cures that you have succeeded in doing?—I have not the slightest doubt of it.

2553. Your cures are five out of 13, which is the largest proportion we have heard of?—It is perfectly correct.

2554. If it is not an unfair question, may I ask, why did you give up your home?—It was in consequence of the interference of the Lunacy Commissioners.

2555. Did they come down upon you?—They sent Dr. Clouston, who visited my place. It is known in the neighbourhood that I am an extreme temperance man; my home was not, therefore, looked upon with any pleasant feeling by the sellers of that which I was condemning, and condemning by an institution in their midst. Reports were sent to the Commissioners which were quite untrue. It was said that I had used a kind of violence, and employed bolts and bars; but I had no bolts or bars in my house. The inmates could leave it at any hour of the day.

2556. I suppose they visited and reported you upon the ground that you were retaining persons who were of unsound mind, without having a certificated house?—There was one case that was the cause more particularly of the investigation. Dr. Clouston's first report was satisfactory, and before leaving expressed his sorrow that it had fallen to his lot to visit my home, as the reports respecting my home were so groundless, and he told me his conviction was I should hear no more about it; but when he was pressed very hard, and asked, "Do you consider this person of unsound mind?" it was just one of those cases in which he could not absolutely say that she was not of unsound mind; and although arrangements had been made with me for a considerable time which would have been a profit to me, the thing collapsed. The relative required to sign the necessary documents would not brand this lady as being of unsound mind; and the fact that the neighbourhood looked upon the establishment as a lunatic asylum, completely upset my scheme, and I gave it up.

2557. You think it would be clearly desirable that reformatories or asylums of this description should be entirely separate from lunacy questions?—Perfectly.

2558. But you would have them inspected?—I should have no objection at all.

2559. You would not desire that they should be inspected by Lunacy Commissioners, but you think there ought to be some direct individual form of inspection?—In this particular case, so desirous was the patient of remaining, that her friends had almost to resort to force to take her from my building.

2560. I do not know whether you have read the evidence given by a gentleman named

Mould, who stated that he had had in the last 10 years 120 cases of persons whom he had detained against their will in a house which he had carried on, and which the Lunacy Commissioners did not interfere with. He says, "120 patients in the middle and wealthier classes of life during the past 10 years, have placed themselves under my care in a so-called voluntary manner, but in reality more at the instigation of their friends and the persuasion of medical men, than of their own free will. I have had them both in the asylum itself and in a private house in the neighbourhood. Legally, one is bound to let them go, but I have been in the habit of taking an indemnity from the friends or relatives of the patients, and illegally keeping them against their will, and have done so for as long a time as 18 months;" do you not think that is a most undesirable state of things?—Most decidedly. I have done nothing of that sort.

2561. If places of this description are to be established, they should be upon some broad and well-defined principle, open to careful public inspection, and free from the possibility, as far as human means can go, of collusion or improper seclusion?—Most decidedly.

2562. Have you considered the question of the necessity of selecting desirable localities in a sanitary point of view?—Yes; I quite believe that mountain air and a certain dryness in a country district are very desirable.

2563. Have you had ladies only, or ladies and gentlemen?—I had three gentlemen.

2564. Have you had any difficulty with regard to finding these people occupation?—Yes, especially at the beginning, when there is no disposition for work, but it is otherwise afterwards; the lady to whom I alluded became most industrious and worked almost incessantly.

2565. You hold that occupation is a necessary and important part of the treatment in these cases?—Yes; in my case we had carriage exercise and so on, when the opportunity offered, and the patients were encouraged to walk out as much as possible, and there was a regular plain diet.

2566. Mr. W. H. Gladstone.] I suppose in all cases it was spirits that there was a craving for?—Not in every case. There was a craving for both spirits and opium and also hydrochloral, which is a most deadly drug. In one case it was very painful to see the effect.

2567. Mr. Akroyd.] You mention a case in which in three weeks the desire for ardent liquors was removed; was that where you gave some medicine?—Yes; I take away all stimulants; many have come to me perfectly insensible and drunk, in two or three instances in a state of delirium tremens. This individual was wild for five days and nights, and I never left him, but I gave him this medicine, and when he came out of the delirium tremens he was perfectly well. There was no desire for drink, and he has had no desire since. He continued taking the medicine some little time after he left me.

2568. Have you had any other case of permanent cure arising from the administration of the same remedy?—Yes; there is one gentleman residing at Newcastle who was never under my roof. I went to see him, prescribed the remedy, and he was perfectly cured. He was in a position in which he was likely to lose his situation; he has now been well nearly 12 months.

2569. So that it is possible in certain exceptional

ceptional cases that patients may be cured in less than 12 months; and if you had the power to detain them, you might be able to give liberty to them before the 12 months?—Yes, I put that as a maximum. I would not undertake the responsibility of a cure in less than 12 months (that is the way I put it), although many may be cured in three or four, or six months, and never return to it again.

2570. Supposing you had a discretionary power to detain them for twelve months, I presume before you gave a person liberty and turned him loose on the world, you would have a probationary period for some months, so as to ascertain whether he had acquired the power of self-control?—I should let them go out shopping, for instance, and allow them to remain as long as they pleased, to see how far they could resist temptation when they were in the midst of it. That would be my mode of treating them before they left my house absolutely. That would be as good a test as you could get.

2571. Your attention has been called to the case of the manager of a private asylum near Manchester, Mr. George Williams Mould, who stated in his evidence that he placed some of his patients on parole during a probationary period, they giving their word of honour that they would not enter a public house. Would you recommend that?—Yes, decidedly; that was the principal on which I acted at my establishment. I put them upon their good behaviour. I said to them, “For your own sake, and for my sake conduct yourselves properly, and we will do all we can to help you out of your difficulty. These persons must be treated as those who are suffering from a dreadful malady; persons who can only be restored by kind nursing and sympathy. In that way I believe that even a larger number of cases could be effected.

2572. Mr. *Miller*.] Your establishment was formed upon the principle of paying its way?—Yes.

2573. Did you find it answer?—It did not.

2574. Owing to the circumstances that you have alluded to?—I made arrangements with most of these persons for 12 months, and in some cases they slipped through my fingers in two or three months, or in six weeks.

2575. If there were a power of restraint for 12 months, do you think such establishments could be kept afloat?—Decidedly; there is no doubt of it.

2576. You think there would be no difficulty in maintaining such houses for persons who were able to pay for them?—There would not.

2577. Persons of a lower class, if kept under restraint, would be kept at the public expense?—Yes; and then there is another class who would be able to pay a certain proportion. Although I have been out of this affair since last September, I am receiving letters almost weekly on the subject. I have had two applications within the last week. One case is of a most distressing kind. It is that of a married woman who is addicted to intemperance, and is quite a burden to her family. They can only afford to pay 30*l.* a year with her. I have another case, that of a daughter of a widow with limited income. The friends thought that by a subscription they might help to send her to me. I have case upon case of that kind, where the persons are unable to avail themselves of these homes for want of means. Mine was a small affair. I only professed to take six or eight at a time; that was the extent of my accommodation.

2578. Mr. *Clare Read*.] You stated, in answer to the Chairman, that you would like to have the power of detention; do you think there ought to be a power given to relatives in any way to force an habitual drunkard into one of these homes?—My impression is, that if they are bringing ruin to themselves and their families, and are apparently hopelessly gone, the families ought to have a power of restraining such persons until they can be cured, just as in the case of any other disease; they should be treated until the disease is cured.

2579. Almost in the same way as you would confine a lunatic?—On the same principle. Drunkenness is lunacy for the time being, no doubt.

2580. Colonel *Brise*.] You say you only had ladies in your establishment?—I had two or three gentlemen in a separate part of the building; I had only one at a time, who was supposed to be a companion of mine, and was made to feel that he was a visitor more than anything else.

2581. Were the ladies elderly, middle-aged, or young?—From about 30 to 55.

2582. You said you would like to have the power of retaining them until their health was thoroughly established; are they out of health, as a rule?—I have no doubt of it. They are frequently out of health before they become habitual drunkards. Several of the cases under my care arose from the indiscriminate prescribing of stimulants by the medical profession; when they were low and desponding they prescribed for themselves, and at last they prescribed too much, and so became habitual drunkards. Many cases of that kind came under my notice.

Mr.
J. Hurman.
—
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Friday, 3rd May 1872.

MEMBERS PRESENT :

Mr. Akroyd.
Mr. Birley.
Mr. Downing.
Mr. William Henry Gladstone.
Lord Claud John Hamilton.
Mr. Mitchell Henry.

Sir Harcourt Johnstone.
Mr. Miller.
Dr. Lyon Playfair
Mr. Clare Read.
Major Walker.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Dr. JOSEPH PARRISH, called in; and Examined.

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2583. I BELIEVE you are a Physician at Philadelphia?—In the neighbourhood of Philadelphia.

2584. And you are superintendent and manager of a sanitarium called the Pennsylvania Sanitarium at Media, near Philadelphia?—Yes.

2585. How long has that been established?—It was established by Act of Incorporation of the State of Pennsylvania in 1866, and was opened for the reception of inmates in 1867.

2586. Is it a private corporation or a private asylum supported by private enterprise?—It is a private asylum; it has an Act of Incorporation by the State to give it legal position and recognition, but it is managed by a Board of Corporators purely as a private enterprise.

2587. Media, I believe, is a sort of suburb a few miles from Philadelphia?—Yes, it is a suburban town.

2588. Philadelphia itself, I believe, is reckoned the second city in the United States?—New York is the first city as to population; Philadelphia is the second containing about 750,000 or 800,000 inhabitants.

2589. Is it a manufacturing city, as well as a residential city?—Yes; there are large manufactures of iron, wool, and cotton there.

2590. With many affluent and rich people residing there?—Yes, quite as many, I think, in proportion to the general population, as any other city.

2591. I believe it is noted both for its public and private charities, and the amount of philanthropic work done there?—Very largely so.

2592. The population is a mixed one, I believe?—Yes; we have the Celtic and the Teutonic races largely represented and the negro as well. There are a great many coloured people living in the city, and they are occupied chiefly as servants and mechanics.

2593. Have you any Irish or Scotch?—Irish and Scotch, and a great many Germans.

2594. What is the size and character of the Media Sanitarium?—We occupy a little tract of seven acres, with a mansion upon it, which at present is able to accommodate some 20 or 25 inmates, besides the officers and employés of the

house. We are very anxious to increase the size, though we do not wish to extend the number beyond 50 or 60.

2595. Your patients, I believe, are males?—Yes.

2596. Can you give me the number of inmates since the establishment was opened?—On the 11th of June last, when we printed our annual report, there had been about 200. The total number admitted up to the present time would perhaps be from 250 to 260.

2597. I see from the return that you have given me up to June last, the number of persons admitted was 235?—Yes.

2598. What is the legal management of the establishment at Media, as distinct from the domestic?—Legally, we are simply incorporated, with power to receive, but with no power to detain patients addicted to the use of alcoholic, or opium intoxicants.

2599. Have you a board of directors?—We have a board of directors, who were originally named, or a portion of them, under the Act of Incorporation, with power to add to their number, and fill their own vacancies without any limit as to number. That board of directors hold meetings, not always statedly, but frequently, during which they examine into the affairs of the institution, and give a general oversight to its conduct.

2600. With regard to the domestic management, I wish the Committee to have an accurate notion of the internal management of one of these establishments?—The domestic management is simply this; there is a physician in charge, with an assistant physician. The physician in charge has the entire responsibility of the conduct of the establishment, so far as its domestic affairs are concerned. He appoints all the subordinates, both his own assistant, and all the employés, regulates their compensation, inaugurates the discipline, and controls the members of the family, be they whom they may. The assistant in his absence is his representative, and has full power to conduct the affairs in the same way. The patients as they come are received as members of the family; the chief officer of the house,

house, however, having his own private apartments with his family. The assistant physician is supposed to be the head of the family among the patients themselves, he takes his meals with them in the dining hall, and gives general directions and oversight. There is also a lady matron who has charge of the housekeeping department, and there are daily religious services as part of the domestic life of the home.

2601. Each person as he enters this establishment is registered?—Each person is registered as to his name, his place of residence, his age, the length of time during which he has been indulging in excess, his social condition, his domestic relations, his business, and all that we can consistently and respectfully draw from him. It is the duty of the assistant physician to keep a daily diary of the conduct of each inmate, so that if an inmate has been in the house for a month, or a year, by reference to the diary we can tell what his conduct has been, what has been his general desire for stimulants from the time he entered; if he walks or rides unusually, or goes out on a visit anywhere, it is recorded. There is also communication maintained pretty regularly with his family by correspondence which acts very much as a check upon him as to his conduct.

2602. Have you no written or printed code of regulations with which the patients are made acquainted?—Each person as he enters the house is furnished with a little note-book, which we call a house ordinance. It contains the regulations as to the hours for meals, and for retiring, the use of the library, the billiard-room, and the other means of occupation and entertainment; the general rules for the governing of a gentleman under such circumstances. One of these rules is, that under no circumstances is an inmate allowed to procure intoxicating liquors. If he goes out, he is not allowed to bring back intoxicating liquors into the house. If that is done, the liquors are confiscated, and a deliberate repetition of that sort of behaviour subjects the person to the risk of dismissal.

2603. Supposing an inmate of the house refuses to comply generally with the ordinances of the house (independently of this particular regulation), you send him away?—We notify him that he is not a suitable inmate for the house.

2604. And that is the only control you have over him beyond the influence of persuasion, and so forth?—That is the only control we have over the voluntary cases; those gentlemen who come and offer themselves as they would to an hotel at a watering-place, or any other health-seeking establishment. We have no legal authority whatever over them, but we have a right as householders to dismiss them from the house if they do not comply with the rules.

2605. You say that religious services form part of your regular arrangements?—Yes; every evening the whole family are assembled in the parlour. We have an organ, and there is reading of the Scriptures and prayer.

2606. Is there any particular medicinal treatment that you adopt?—Nothing that we can call specific. Each patient is received as an individual, and his case is examined, and treated accordingly. Of course, men who are young in the habit of using intoxicants, and those who have long indulged in the habit, and are broken down in health, require a very different sort of medical treatment. They all require very great care in

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that respect. Even young men, or men who are apparently in good health, frequently exhibit some degree of nervous depression, or an unusual excitability of temperament, which is generally perhaps the exciting cause of their excess. The object in each case is to equalise if possible the forces, to bring a man to himself, to retain him long enough to have him established, so that his impulsive nature will be under control. In the older cases, there is frequently evidence of organic disease, as liver softening, kidney and bladder disease; rheumatism also is a very common associate of alcoholic excess.

2607. Do you make use of stimulants as part of your treatment medicinally?—Yes, and only medicinally; but that not in every case. If a man comes to us sober, he does not need anything of the kind. It is only in cases where a man is getting over a debauch, or is brought to us in the midst of a debauch. We then, according to a common saying that we have, “let him down easily,” instead of cutting him off all at once. We sometimes use beer, or wine, or whisky-punch, or something of that kind, in order to promote rest and quiet, as well as to increase the temporary satisfaction of the individual himself. That is one means of restraint to a man who has no judgment. When a man has not the control of his own will, does not know where he is, and what he needs, we give him stimulants moderately until he can be brought to a sense of his condition to know where he is, and what his responsibilities are.

2608. But stimulants form no part of your dietetic treatment?—Never.

2609. Will you be so good as to describe to us what we may call the moral restraint to which your patients are subjected?—The moral restraint is self-imposed. The fact of an individual making up his mind independently to go to such a place, is of itself a step towards his reformation. In addition to that, when he enters, he is withdrawn from the associations that he has been accustomed to, from the temptations with which he has been surrounded in society, and in that respect is able to come to himself.

2610. Do you allow him to be master of any money at all?—No; one of the rules of the house is, that when a man enters, he has to dispose of his money; he gives up what pocket money he may have to the physician, who places it to his credit, and who allows him only to use it under circumstances of necessity, for his little incidental daily wants, tobacco, stationary, stamps, the laundress, and matters of that sort. There are reasons why that should be done, independently of the danger of allowing a man to have money himself; he is very apt to loan it to others, and the presence of money among a crowd of men of that description, is a temptation which it is better to withdraw from them.

2611. It is implied that the house ordinance is accepted by the person, and you seek to impress upon him that his honour is at stake, and that as all necessary provision is made for his comfort, it is his duty to cultivate self-respect and self-reliance?—Yes; the principle upon which the institution is based is that a man must have his self-respect sustained and cultivated. When he comes to us he is given a good room, well furnished and lighted with gas, baths, and everything of that kind, and he feels himself taken care of in a way that he has been accustomed

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to some extent. I omitted to mention in connection with the medical treatment what I suppose might come under that head; the use twice a week, habitually through the year, and sometimes oftener, of the Russian bath. Every inmate of the house is passed through the process of bathing by the vapour, as soon as he is able to bear it.

2612. Who settles with the patient the amount of liberty that he is to have; is that entrusted to the physician?—Entirely.

2613. After you become satisfied that the patient is enabled to place a certain amount of restriction upon himself you begin to allow him liberty?—Yes; all of them have the liberty of the town. The building is located within the limits of the borough, which is a mile square; there is a railroad depôt with a dozen trains going backwards and forwards in a day; there is the town-hall with its library and museum, and there are concerts and lectures, churches, religious meetings, and so on, which are open to them, and which they use at their pleasure. To go beyond the recognised boundaries and the immediate vicinity is a matter to be prescribed by the physician. Very frequently the patients ask to go to Philadelphia, a distance of 12 or 14 miles, which they must do by train. When a man has been sufficiently long, and has given sufficient evidence of his desire and his ability to do right, he is allowed to go to Philadelphia, perhaps to a concert or a public meeting, or for mere change. If he returns all right and has not violated the confidence that has been placed in him, he is allowed to go again in the course of time; in that way his strength is tested; if he fails, consent is not given for him to go again until a longer period of abstinence.

2614. Under these circumstances, if a man wants to go to Philadelphia whose power of restraint over himself you doubt, you have no other power of preventing him going but that of recommending him not to go?—No other power; but we generally compromise under such circumstances, and send a man with him; we send an assistant physician or an attendant to accompany him, which he will very often consent to rather than not go at all.

2615. But there may occur conditions in which you would rather not even come to that compromise?—Yes.

2616. And you have no power of saying, "You shall not"?—No, not in the case of those who are admitted voluntarily.

2617. Amongst the patients included in the Return which you gave me, there were 122 admitted voluntarily?—Yes.

2618. One hundred and eight were admitted by the persuasion and at the instigation of their friends?—Yes.

2619. And five were committed?—Yes.

2620 Will you tell me what the distinction is?—We have only one way of distinguishing between voluntary cases and those that are committed. But the term "voluntary" ought not to be used except in a limited sense, because a great many gentlemen who find themselves overtaken with excess, and whose friends recommend them to go to such places, decline unless they are threatened with being sent to some place that they prefer not to go to, as, for example, a lunatic asylum, or to be sent off into the country, in some remote place, and be separated from

society. Rather than submit to such an alternative, they consent, but it is not really an independent act of volition. The cases committed there are sent under two laws. There is a general State law entitled, "An Act relating to Lunatics and Habitual Drunkards." That law provides that any relative of an habitual drunkard may present his case to a president judge of the Common Pleas or Quarter Sessions. The judge appoints a commissioner, generally a legal gentleman of ability, in whom both parties have confidence. This commissioner calls a jury in his own office, so as to prevent any public exposure of the case; a jury, I think, of six men. Both parties, the drunkard himself and his friends, are notified that on a certain day the case will be heard; evidence is then brought forward to show that the man is an habitual drunkard, and incompetent to attend to his own affairs. If the evidence is satisfactory, the jury returns a verdict to that effect, and makes a report to the judge. The judge, under those circumstances, appoints a committee of the man's person and estate, or two committees, one for his person and one for his estate, as the parties themselves may determine to be best. The committee has full power to take the inebriate, and put him where he will, in a prison if he is refractory, or in a lunatic asylum if there is any evidence of his partial or his entire lunacy, or in an inebriate asylum if he prefers it. Then he can transfer by power of attorney to the superintendent of the inebriate asylum the entire control of the individual, so that he has as much authority over him as a warder has over a convict in a penitentiary, but such extreme power is but seldom exercised.

2621. Dr. L. Playfair.] How is that jury summoned; is it summoned from those who are on the roll as liable to serve on juries generally?—No, they are selected by the Commissioner; he generally selects one or two physicians and one or two men intimate with the law, or supposed to be, and a civilian or two, according to his own judgment. Then there is another law enacted specially with reference to the institution of which I have charge, which describes the mode of commitment.

2622. Is that what you call a special law?—Yes; the provision is this: "Any person addicted to the intemperate use of narcotics or stimulants, may, at the discretion of the proper officers of the institution, be received for custody or treatment, either upon voluntary presentation, or, if a declared habitual drunkard, upon presentation by such person's legally constituted committee; or, if having no committee, upon presentation of such person's guardian, or next friend, who produces a certificate of two physicians setting forth that they have examined the person so presented by his guardian or next friend, and the result of their examination; which certificate must be verified by the oath or affirmation of its signers, taken before a judicial officer having authority to administer oaths, and have the written attestation of such judicial officer that the physicians named are practitioners in good repute, and that the signatures professing to be theirs are genuine." That is a law which was enacted three years since especially to cover this institution.

2623. I think you said that there were admissions at the discretion of proper officers?—Yes; this law was prepared by ourselves and passed

by the Legislature without any opposition. The words "at the discretion of the proper officer of the institution" were inserted so as to give us the power of selection to prevent vagrants and criminals and that class of drunkards who are suitable for houses of correction being imposed upon us. There are the words "received for custody or treatment." We can only detain, as I have already stated, those that are recognised as habitual drunkards and are so declared by the authorities.

2624. What do you mean by "received for custody"?—The term "custody" was meant to apply only to the class of cases that are admitted under the law. We are "eustodians" of those who are committed to us by authority, but we "treat" those who come to us voluntarily. That is the distinction that the law contemplates.

2625. The justices have no right to commit direct to any institution of that sort?—Justices have no right whatever to commit to any other institution than the gaol. The police upon the street have a right to arrest a man for drunkenness and to put him in the lock-up. In the morning he is brought before the magistrates, when he pays his fine of five dollars and is released, or in default of that fine he is committed for 30 days, or less.

2626. Mr. *Downing*.] Do you mean that the fine must be five dollars, or that it must not exceed five dollars?—It is five dollars, I think; that is the fine in the city of Philadelphia. In the country it is smaller.

2627. Have you the Act under which the fine is imposed?—I have not; it is an old law; we have had it in force for many years. I may say that we make a distinction between drunkenness, and drunkenness and disorderly conduct.

2628. *Chairman*.] I think that law was passed in 1854?—Perhaps so; there are some recent laws, which we may come to after a while, in which the penalty is much heavier.

2629. Mr. *Akroyd*.] Are these general laws passed by a Congress, or are they only State laws?—They are State laws; the Congress has no right to make laws for a State. The State is required in its legislation to conform to the constitution of the United States, but the Congress cannot legislate for a State. A law to be passed by the State must pass through its two Houses, the Senate, and the House of Representatives, and be approved by the Governor.

2630. *Chairman*.] When parties are committed to the asylum, are they treated while there in any other manner than the voluntary patients are treated?—No.

2631. Except that you have the power of turning the key upon them?—Yes.

2632. That constitutes the difference?—Yes; we endeavour to conceal from the other inmates the fact that they are committed, lest some invidious differences should be made amongst them, and we do not have occasion to turn the key.

2633. We come now to every important part of the question, that is, the number of cures out of the number of persons returned; taking the numbers admitted to be 235, you have returned to me the number of 82 as having been cured?—Yes, about one-third.

2634. I presume that different institutions vary according to the views of the persons concerned, 0,73.

with some doubt as to what constitutes a cure; is that so?—Yes; I have been very careful in my returns of cures, so much so, that the percentage which our institution offers is, I think, less than some others. I suppose that, in the treatment of any ordinary disease, a cure is considered to be accomplished when the disease for which the man is treated has been so far removed that he can go out and attend to his business; you may have an attack of rheumatism, and put yourself to bed, and be under treatment for a month and get well; you go out again and you are cured. You may have a recurrence of the attack, by exposure to the same influences that produced the first, in the course of a few months, or a year or two; then you may go back to bed, go through another course of treatment, and again be cured. But in that sense the popular mind has not been disposed to look upon this disease; and though I believe it would be perfectly legitimate to call a man cured of drunkenness when he has got over his attack, I have thought it better to accommodate to some extent the popular opinion, and not consider a man cured until we think him permanently cured, though there is no such thing as a permanent cure of anything. We have only called those men cured who have been followed up for a considerable time after their removal, and have still maintained their sobriety and integrity; but of course we cannot tell what may happen to them in the future. I may instance the case of a gentleman who came to the institution that I represent, a few weeks ago, and whom I considered thoroughly cured; after being with us he went away, returned to his business and was in the midst of temptation, in Philadelphia for two years. I frequently met him in the street, and I occasionally called at his business place to see him; he was doing admirably well, and the last time I met him in the street he told me that he could not be induced to taste liquor any more than he could to eat the dirt that was in the street; but in a very little time he was back, and he returned under these circumstances: he had been very much pressed with his business, travelling about a good deal, and was troubled with some financial difficulties; he felt a desire for stimulants, and began to drink; first, I think some beer or wine. He felt that the thing was overcoming him, but before yielding to his debauch, finding himself being enslaved, he immediately returned, and I suppose he is still there. But that man is nevertheless cured, in my judgment, because when he found that he was getting under weigh again, he was enabled to stop, and retire from the influences which were likely to overcome him. In a short time he will be able to go back to his business again, and perhaps, having tried the experiment, he will never again yield even to the taste of liquors.

2635. Then your argument would be that had he not been subjected to the peculiar circumstances, such as those you have mentioned, he might have gone on without having recourse to drink?—Yes.

2636. Therefore you consider yourself fairly entitled to call him cured for the period of certainly two years?—Yes; besides he has a moral basis upon which he can build, and some principle in the matter, so that I suppose he will have no difficulty in maintaining his integrity. On the other hand, I may mention that a young man some four years ago, without parents, and without friends, was taken in, merely as a matter of

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of charity, and kept over six months. When he left, I considered him as "Not cured." He went into the western country, and within the last few months I have heard from him that he has been thoroughly cured. During the time he was in, I thought he gave no evidence of that kind of manliness of purpose which would enable him to recover. When he was thrown out and obliged to battle with the world for himself, without having assistance from his friends, he summoned what manhood he had left, and he has now become a thoroughly sober man, though he was put down on the record as not cured.

2637. Mr. *Downing*.] He has written to you to say that he is cured?—His brother told me; I did not take his word for it; I was afraid to believe him; his brother says that he has been thoroughly changed. It is impossible to determine positively, when a man leaves, whether he is cured or not; he must be followed up. Sometimes some of the most discouraging cases will turn out well, and some of the most hopeful cases we are disappointed in.

2638. *Chairman*.] You have exercised that following-up principle to the best of your ability before you have called a man cured?—Yes, I have; and I feel it my duty to do so; I prefer not to deceive either the public or myself, by presenting a larger number of cured cases than I can rely upon.

2639. As compared with what we may call the cognate condition, namely, that of insanity, are the cures, as far as you have been able to ascertain, in any fair proportion to the cures which have been effected in those cases?—Yes. I had occasion some years ago under authority of the Legislature of our State to visit all the charitable institutions of the State; the insane asylums, reformatories of different kinds, and penal institutions, and I took occasion to qualify myself as thoroughly as I was able as to the results of the treatment of insanity. From my reading of the results in this country also, I think that the gentlemen who have charge of insane asylums, classify their patients as recent cases and chronic cases, and they base their returns upon this classification. We have, perhaps, from 60 to 70 per cent. of the recent cases cured, and of the chronic cases separated from the others there are, perhaps, not more than 10 or 12 or 15 per cent. so cured; so that the average results in regard to both classes of insane would not be greater than the average results of the treatment of inebriates in inebriate asylums. Could we classify inebriates upon the same basis, I think our results would be equally satisfactory.

2640. The success in lunatic asylums is in proportion to the early period at which the treatment of the cases commences?—Yes, it is so with us; I do not know what it may be here. The custom with us is to classify recent cases on the basis of three or six months' insanity. These cases generally recover in a very large per-centage. A drunken man does not find out that he really is a drunkard for perhaps eight or ten years, and then frequently not until he has wasted his property, and run through everything he had; so that the average length of time that men have been addicted to excess before entering inebriate asylums would be perhaps eight or ten years. They have been long given to intemperance before coming under treatment, and if it were so in the cases of insane

persons, the results would be much less than they are at present in the insane asylums.

2641. Mr. *Downing*.] Was the New York City Lunatic Asylum one of those you visited?—No; I speak of the State of Pennsylvania.

2642. *Chairman*.] Have you calculated the per-centage of cures, or do you find that it varies with the class of inebriates with whom you have to deal, so as to defy per-centage?—It varies with the class, though our averages are made upon the cases that we have without classification.

2643. The average of cures is in proportion to the recent or chronic character of the malady you have to deal with?—Yes, in proportion to the chronic or acute character of the malady. It may not be recent, but some men, with very little excess, are more deteriorated than others who have gone on longer. I would not define the terms acute and chronic to mean simply short and long time.

2644. Is another element of success in the cure the duration of time over which the treatment extends?—Very largely. There are some cases, however, of inebriates who are addicted to what may be called periodical drinking. A man will be sober for three or four months, and then go on the spree, which will last two or three weeks, or a month. He gets over it, and has no disposition whatever to indulge in excess for several months. For that class of case a very long term of residence in an inebriate asylum ought to be observed. It is common with us to have persons under those circumstances who really want to recover and who cannot afford to be absent from their families a sufficient length of time, and they take refuge in an asylum whenever they feel that the attack is coming upon them. I know some business men who have this infirmity, and who when they feel that the attack is coming on, having an uncontrollable desire to indulge in excess, instead of getting on to a debauch, will run off from their counting-house to their homes, get a satchel, and come to Media, and stay a few weeks until they have bridged over this period. Their friends may think they have gone to New York or Boston, or somewhere else on business, and they go back again. By pursuing that course repeatedly, they get over the habit entirely. This is one very great advantage of institutions for that class of persons.

2645. You have already stated that the average of the results as regards inebriates is more favourable than that of the insane; that leads me to ask you this question; I believe that in America you have not unfrequently put inebriates into insane asylums?—Yes.

2646. What is your opinion, or what is the general opinion, with regard to such a practice as that?—There is a great deal of feeling now in the country on the subject. A Bill was before our Legislature in Pennsylvania last winter, which, I believe, did not pass for the want of time to get it through, though I think the sentiment of the Legislature was prepared to pass it, making it a misdemeanor for any physician to sign a certificate for an inebriate commitment to a lunatic asylum, or for any physician in charge of an asylum to receive an inebriate as a patient, and imposing a fine upon either or both of a hundred dollars. There is a strong disposition among persons who have inebriates in their families to send them to lunatic asylums, first, because they can

can commit them there, or get them to go there in some way apparently voluntary, and can have them detained. I know a young gentleman now who is in a lunatic asylum for a year by consent which has been urged upon him by his parents and friends. There has been a written agreement signed by himself to remain one year, because there was no power in an inebriate asylum to retain him. He is there now under lock and key, kept within the grounds, which are some 40 acres in extent, surrounded by a high wall. He has plenty of room for exercise and enjoyment, but he cannot get out.

2647. That surely is not a good method, in a curative point of view?—It is not, in a curative sense. I think that the testimony of the physicians I have come in contact with, who have charge of lunatic asylums, is that inebriates very seldom, if ever, recover by the treatment of lunatic asylums. To satisfy myself on that subject, I corresponded, about a year ago, with the gentlemen having charge of institutions in our State, asking the question directly, whether, in their opinion, lunatic asylums were proper places for inebriates, and what was their experience in the treatment of inebriates in those asylums, and without any reluctance they answered that asylums for lunatics were not places for inebriates, and that their success with them had been very unsatisfactory. One of them went so far as to say that he had never known an inebriate recover in a lunatic asylum.

2648. It is not only not good for the inebriate, but not good for the lunatic, that they should be associated together?—Not at all; inebriates regard it as humiliating and degrading, and consider it a stain upon them for all their after life.

2649. Are you of the same opinion as has been given by eminent mental pathologists to this Committee, that the treatment of the insane often involves dietetical conditions which are essentially unfit for the inebriate?—No doubt of it.

2650. In the Return to which I have referred more than once, I find that a certain number of your cases were re-admitted?—Yes.

2651. You had 14 cases that were admitted twice, and four cases that were admitted thrice, and the average period between the re-admissions was only four months; do you attribute that to the fact that the persons did not remain long enough upon their first visit?—Yes.

2652. The consequence was that they relapsed quickly into habits of drink?—Yes.

2653. I observe also that you give, as the average period of residence of each patient in your institution, about 100 days?—Yes.

2654. Can you give the Committee the maximum and minimum?—I think I can. Some remain a year or more. I have had a few cases that have remained only a week. It is not unfrequently the case that a gentleman who is intoxicated, who comes home and injures or interrupts the peace of the family, is put into a carriage by them without his knowing anything about it, and driven to the institution. He there becomes sober, finds where he is, wakes up to a sense of what has been done with him, gets over his immediate trouble and returns home.

2655. Mr. Downing.] Do you feel justified in keeping him?—Not contrary to his will. We cannot keep him under our law.

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2656. Chairman.] In the same Return I see that you put down 63 cases as being incurable. Is the Committee to consider that those are persons so hopelessly sunk in drink, or so hopelessly diseased organically, that you saw no chance of cure?—No; I have only put them down as incurable, with the facilities that we have. I believe that many of these men could be thoroughly cured if there was power to retain them for a sufficient length of time. If they knew when they went out from the establishment that if they returned to their habits they would be sent back to the institution, it would be useful to them.

2657. Then that goes to strengthen your statement that, with a longer power of retention, your number of cures would be considerably augmented?—No doubt.

2658. I see there are two persons returned as having become insane whilst at your institution?—Yes; they were partially insane when they came.

2659. What is your opinion about the direct connection between insanity and drunkenness?—Insanity and inebriety are two very different disorders, and require different modes of treatment. I have examined that subject so far as the reports of institutions for the insane are concerned pretty thoroughly, and I have a reference to it by Dr. Kirkbride, who is the superintendent of the Pennsylvania Hospital for the Insane, and has had under his care for many years past a great many insane persons. But I will first read a paragraph or two from a report that I had the pleasure of reading before the Medical Society of Pennsylvania on the subject, "To answer this question logically and fairly, we must distinguish. The word insane, according to its etymology, means unsound, and in this indeterminate sense is often loosely used. If this broad definition be accepted, every man who exhibits disordered mental action, is insane. Under it is embraced not merely the drunkard, but all human beings; to use the word in this sense, therefore, would be manifestly unreasonable. Men who are intemperate, either from opium or brandy, are not in the majority of cases men of insane intellect. Medical observation and diagnosis have, we think, distinctly proved that the diseased portion of the mind in such cases, is chiefly of the will not the intellect; they know but are impotent to perform. An able medical writer, Dr. John Reid, in speaking of nervous disorders, says; 'We often act upon the ill-founded idea that such complaints are altogether dependent upon the power of the will; a notion which in paradoxical extravagance, scarcely yields to the doctrine that no one need die, if with sufficient energy he determined to live.' An intoxicated man may have hallucinations, be troublesome and even violent, but such irregularities are analogous to symptoms of mental disturbance, that are frequently witnessed in the course of acute diseases, as the delirium of fever, and in the various forms of cerebral inflammation, and which passes off in a few hours or days, without the patient being considered insane. Hallucinations and illusions may exist without insanity: they do not necessarily involve perversion of intellect or judgment. Indeed, the reason may be quite clear and competent to discover the existence and causes of those sensations without being able to control them. Writers upon this subject speak of insanity

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sanity of the will, by which they mean a perverted will, that prompts to extraordinary acts which the insane person commits with full intent and matured design, and enjoys satisfaction with the result, however distressing or dreadful it may be to others. Many inebriates will to abstain from excess in the use of intoxicants, and indeed determine to abstain totally until the occasion presents, which controls the will, but does not pervert it. They act in opposition to it; they are captives, and the will yields to the insatiable demand of physical unrest and depression, or moral infirmity. When it is over they are stung with the bitterest remorse, and sink into the deepest penitence and sorrow. Such, however, are not the fruits of insanity. If these propositions be true, it is clear that institutions for insane persons are not the best means for the restoration of the class we are considering, and we think we have the concurrent judgment of most, if not all, experts in the department of insanity, in support of this opinion." The report of the Pennsylvanian Hospital for the Insane for 1870, presents the following facts: "There have been treated in the hospital up to the date of the report, 5,796 cases of insanity, only 446 of which are attributed to intemperance (a small number compared to the popular estimate of the relation of the diseases). Among other causes, however, so far as ascertained and enumerated in the report, nearly all are attributed to influences, such as are constantly urged by inebriates and their friends, as reasons for the use of intoxicants, namely, loss of property, intense study, domestic difficulties, political excitement, intense application to business, disappointed expectations, want of employment, use of quack medicines, mental anxiety, &c. Who of us does not immediately recognise these as among the commonly reputed 'causes' of the intemperance of those who seek the shelter of the institutions under our care? If these records are true (and we have no more highly accredited authority in such matters than Dr. Kirkbride), their importance should have due weight in these investigations. It may be further remarked that as delirium tremens is not mentioned in the report, it is fair to suppose that many of the 446 cases, attributed to intemperance, were victims of this disease, and not of insanity in the ordinary acceptation of the term; and it is to be regretted that the distinction between the temporary or acute mania from drink and insanity proper is not made in the report. The propriety of committing persons with delirium tremens to the custody of hospitals for the insane is not questioned; but we cannot avoid the fact that delirium from drink, occurring during a debauch, is analagous to delirium from fever occurring during an illness, and the necessity for restraint is but temporary, the patient recovering without any permanent lesion of cerebral function or structure."

2660. Does your opinion coincide with the deductions from that return?—Yes.

2661. Then you do not attribute insanity largely to excessive drinking?—No.

2662. Would you be surprised to learn that in this country about 20 per cent. of the cases admitted into our asylums are put down directly to drink?—I know it is very common with us to do so; but I fear that there is not sufficient care in the definition of terms. Drunkenness is often the existing cause of insanity, but not so often

the real cause. I had a gentleman under my care who was committed 14 times to a lunatic asylum for drunkenness, registered 14 times on the list of insane, and discharged 14 times as cured of insanity. It was mania from drink; it was intoxication, and not an insanity of intellect, for he is a smart lawyer, and is now engaged in a great deal of literary business.

2663. Then you look to the exciting causes which lead to insanity, as being also exciting causes to excessive drink?—Yes; I think there is a predisposition in many men to insanity, and in many other men to intoxication from the same causes, just as you and I might be exposed to cold and wet and fatigue, and you may get rheumatism, and I may get pleurisy.

2664. Mr. *Downing*.] You think that there is an hereditary taint?—Yes.

2665. *Chairman*.] Still you regard it as a disease?—Certainly.

2666. And you would treat it as a disease?—Yes.

2667. Is that opinion obtaining largely in your country?—Yes, very largely; we have an association in our country entitled "The American Association for the cure of inebriates." It is composed of gentlemen who are interested directly or indirectly in institutions of this kind, as managers, superintendents, directors, or trustees, as they may be severally called; and at their meeting in November 1870, held in New York, they issued the following declaration of principles, which it may be well to read: "1. Intemperance is a disease. 2. It is curable in the same sense that other diseases are. 3. Its primary cause is a constitutional susceptibility to the alcoholic impression. 4. This constitutional tendency may be inherited or acquired. 5. Alcohol has its true place in the arts and sciences. It is valuable as a remedy, and like other remedies may be abused. In excessive quantity it is a poison, and always acts as such when it produces inebriety."

2668. Is that opinion endorsed very largely by those who have considered the subject in your country?—Very largely.

2669. It is not absolutely new amongst you?—No; I will read a paragraph from another article written by Dr. George Burr, of Binghamton, one of the trustees of the New York State Inebriate Asylum. He says, "Nearly 60 years ago Dr. Rush referred drunkenness to a morbid state of the will. To effectively treat the subjects of this disease, he recommended 'the establishment of a hospital in every city and town in the United States, for the exclusive reception of hard drinkers.' 'They are,' he remarks 'as much objects of public humanity and charity as mad people. Esquirol distinctly recognises the existence of a disordered condition of the system, which leads certain individuals to the abuse of fermented drinks. 'There are cases,' he continues, 'in which drunkenness is the effect of accidental disturbances of the physical and moral sensibility, which no longer leaves to men liberty of action.' Dr. Jamieson, of Aberdeen, and speaks of the propensity to drunkenness 'as a morbid impulse, forming a variety of moral insanity, referred to under the name of dypsomania.' In 1853, Dr. Woodward, of Worcester, Massachusetts Insane Hospital, in a series of essays, maintained that intemperance was a disease, and declared, from his own experience in the management

agement of many hundreds of intemperate persons, who had committed crime, which rendered confinement necessary, or who were insane in consequence of this habit, that this disease was amenable to treatment, and that 'a large proportion of the intemperate, in a well-conducted institution, would be radically cured, and would again go into society with health re-established, diseased appetites removed, with principles of temperance well grounded and thoroughly understood, so that they would be afterwards safe and sober men.'"

2670. *Chairman.*] Is that opinion which is held by the educated classes, and those who have studied this question, the same as that which is commonly and popularly held, or is there a material difference?—There is, of course, a very great difference of opinion. Among medical men there can be said to be but one opinion; but in the community at large, the popular teaching upon the subject, and the punitive legislation that we have been in the habit of carrying out in America, have done a good deal to settle the minds of many men who are called reformers in an opposite opinion; they are disposed to look upon drunkenness as a crime, to classify it with theft, arson, and murder, and believe that it ought to be punished. Among men who have given themselves to social science and professional pursuits, I think there can be said to be but one opinion.

2671. Then that would lead up to the idea of treating drunkenness in a fashion not at all in accordance with the principle of fining and imprisoning the man, and treating him as a criminal?—We regard that as cruel.

2672. You are speaking, of course, of cases of repeated and frequent drunkenness?—Yes.

2673. You have no doubt that much of the initial drunkenness is the mere result of bad habit, the excitement of company, or matters totally unconnected with disease?—Yes; my attention was called to the subject in a conversation with the chaplain of our state penitentiary. I asked him how many convicts with whom he is in daily intercourse in their cells, were there as the result of intemperance, and his reply startled me very much when he said that there was not an inebriate in the penitentiary. He explained his remark in this way: he said that criminal inebriety, in his judgment, was where a man made up his mind to commit an offence against the law, and then charged himself with spirits to enable him to do it. Of that class of men they had numbers; he regarded intemperance in those cases as merely an expedient; they used brandy as they used a chisel or anything else. The inebriate proper, who was so because of his social surroundings, or from hereditary taint, and without any criminal intentions, was not very frequently found in such places.

2674. *Mr. Downing.*] Would your experience lead you to agree with him in that?—I cannot say; I have had very little experience on that point.

2675. *Chairman.*] Have you turned your attention to the connection between frequent inebriety and hereditary affections?—Yes, somewhat.

2676. What is your opinion upon the question of the transmission of tendencies to drink?—I differ a little from the commonly-received opinion.

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If you will allow me, I will quote a few words from an article that I prepared for the Association on that subject: "The existence of a predisposition to diseases is as familiar to the people at large as any other fact in the natural history of the race. It is a part of every family record, and is recognised as a common belief, and why it should not be admitted in connection with this form of disease it is difficult to conceive. The idea that intemperance is sometimes hereditary should not, however, be taken to mean that the mere taste for alcoholic liquors is transmitted from generation to generation. By no means. It should rather be taken to mean, that some persons are born with temperaments and tendencies which predispose them to seek such exaltation or relief as is obtained from alcoholic stimulants. Such predisposition is often exhibited by a sense of unrest and nervous depression. The patient is uneasy, with a deep longing for ease. He is unable to settle himself, and concentrate his powers upon his accustomed employment because he is nervous, irritable, distressed, exhausted, discouraged, or, what he calls, 'unstrung.' He is suffering from the effects of an organisation that he did not create, and from infirmities which he did not knowingly promote. He belongs to that class who are described by Maudsley in the following words: 'Multitudes of human beings come into the world weighted with a destiny against which they have neither the will nor the power to contend; they are step-children of nature, and groan under the worst of tyrannies, the tyranny of a bad organisation.'"

2677. In the treatment and management of inebriates, have you found it convenient to divide them into classes?—Yes.

2678. How would you, or how do you classify them?—I have introduced a classification which, I think, is becoming rather popular among those gentlemen who have given their attention to this subject. I have divided the cases into what we call confirmed inebriates, preferring the word confirmed to habitual, and emotional and accidental inebriates.

2679. By the confirmed drunkard you mean the man who is hopelessly given over to drink without much prospect of making any impression upon him?—Yes; we are in the habit of calling such persons professional debauchees, whose purposes in life seem to be limited to the gratification of their appetites and passions.

2680. Persons of depraved morals, as well as of depraved habits?—Yes, they constitute a very considerable class.

2681. The moral condition of a person of that sort is not far different from that of a person who is given over to debauchery of other descriptions?—Not at all; their intemperance is a mere incident in connection with a general life of depravity.

2682. Will you describe what you mean by an emotional drunkard?—I call emotional drunkards those who without any bad intentions or acute convictions of duty and responsibility, or established principles of right, give themselves to the promptings of impulse simply.

2683. And the accidental drunkards?—They form the third class of inebriates. "Such are men of good principles and character, who know and acknowledge their infirmity, and endeavour to overcome it. Students, authors, and overworked business men furnish a considerable

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per-centage of this class. Salesmen, also, of large mercantile houses, in the busy rivalry of trade and hospitable attentions to customers, are led into the practice of drinking without being conscious of their weakness, till they discover that they are enticed into inebriety, and know not how to escape. They are overcome by drink, as men are often overcome by eating immoderately."

2684. Those being the divisions into which your experience has led you to divide these classes of persons. I now come to the question of how you propose to treat and manage them. And first, I will ask you as to the habitual or confirmed drunkard?—If you will allow me, I will read a few words about that class. "How to care for this class, more than any other, is the problem that the civilised is now endeavouring to solve, and in which every household is immediately or remotely concerned. Confirmed inebriates constitute a considerable class of the community; they are, as a rule, largely unproductive, and a necessary drain upon the resources of the people. What can be done for, or with them? The first thought in this connection involves the idea of custody and restraint, and this is always offensive to the intuitive love of freedom, which in this country especially is the fountain impulse in every American breast. All our actions are influenced by this impulse, which is as native to our intellectual being as the capacity of breath is to our physical nature. Yet the safety of the victim's family, the security of his estate, the peace of society, and his own welfare, demand that his downward career must be arrested. How far his personal liberty may be restrained to accomplish this end, is a delicate question; but perhaps there is no maxim more pertinent to the case than that of Mr. John Stuart Mill, who, when discussing the liberty of the subject, says, "As soon as the liberty of the subject interferes with the general interest of the community, the liberty of the subject must be forfeited."

2685. Then do you believe that under those circumstances, it would be State economy to take care of those people, and if possible to make them earn their own living, or their own cost?—Yes, if I had the liberty I should detain them in asylums, with appropriate work, for a long period of time, say for one or two years, at the expiration of which time I would give them a probationary trial; I would let them go out, and try them for a short time, and if it did not answer, I would bring them back again; if they were found to be untrustworthy, it would be economy in the State to keep them.

2686. Do you think it would be desirable to commit these patients to a reformatory or an institution for the purpose of detention, converting them as far as possible to a profitable use; to commit them for a term to be shortened or lengthened according to the necessity of each case, as it might arise?—I should think that would be well.

2687. Would that meet your view?—Yes.

2688. I believe in America profitable labour of persons whose liberty is abridged for the time being is the rule, is it not?—It is in some places.

2689. So far as you know, do you believe that that labour may be made profitable to the extent of paying the cost of it?—After a certain time.

A confirmed inebriate is poisoned morally and physically, and he must have some time to be renovated, after his system is so far recovered as to enable him to work.

2690. You are aware if you commit a drunkard to hard labour in the house of correction he is unable, during the early part of his incarceration, to perform that labour?—Yes.

2691. In fact he would fall off the wheel, if he were put on there?—Yes; this remark of course is intended to apply only to the confirmed class recognised as incurable.

2692. With regard to the emotional drunkard, would you place him also in a reformatory?—Yes.

2693. There the discipline would perhaps be rather more moral than the physical, would it not?—I think that class of persons, who are without any settled convictions or principles, with no habits of industry, should be subjected, no matter what their age may be, to a system of instruction; and that it should be a protracted system, not merely listening to didactic discourses, but entering upon a course of study as to the responsibilities and duties of life, the rules of hygiene, and whatever would constitute the proper regulation for their habits; they should be engaged in that way for a long time, and then I think they might be made useful. That class chiefly consists of young men, so far as my observation goes. I would say, in reference to that class, that they should be subjected to a sort of university of social discipline.

2694. Do you lay stress upon the occupation of this class of persons, as well as upon their instruction?—Yes.

2695. Is it a very difficult matter to find occupation for them?—That is the most difficult matter in connection with the whole subject that we have to deal with in America. Our people are industrious if they are sober and have opportunity, but the drinking class that we have to deal with chiefly are, many of them, among the affluent people, who seek rather such establishments, and who expect to receive there the personal attentions to which they are accustomed, and which their impulses demand. It is exceedingly difficult, except by their consent, to have them employed. The way in which we occupy them is, to furnish them with a good library, a reading room, a billiard room, which of course they use as much as they ought; and then there is a literary association, at the meetings of which they read essays and enter into discussions. But it must all be voluntary or spontaneous; you cannot require that a man shall read so many pages a day, or study, or enter into any particular pursuits. It is a mere matter of individual taste, and of purpose, which a great many men, unfortunately, do not possess.

2696. The taste for out-door and vigorous exercises is, I believe, not so common among the affluent classes of Americans as it is with us?—No; it is considered by some men a little out of sorts for them to work, unfortunately.

2697. Independently of the question of the restoration of curables and the detention of incurables, what other advantages do you attribute to the establishment of these reformatories?—I think that the advantage of institutions of this kind is much wider and greater than in the mere restoration of individuals who are committed, or who go voluntarily to them. My own impression is

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is that, if they were very numerous and not very large, scattered all through the country, the deterrent influence upon inebriates who are outside would be very strong. I happen to know of a few instances of young men who have been running wild with intoxication, and whose parents have threatened to send them to institutions of this class, and lest the threat should be put into execution, they are endeavouring to keep sober, and some of them succeed pretty well. I think that institutions of this class, properly conducted, with suitable men at the head of them, would be centres of a great deal of information and light. That would go very much to the formation of a proper public sentiment, and modify the estimate which people have of drunkards themselves. As we now are, a drunkard has more to contend with in his efforts to recover than any other class of men. He is ostracised by society, he is an offence in his own domestic circle, and to the better social circles he is not admitted. The Church ignores him, the temperance society keeps him only so long as he keeps sober, and he has the entire weight of public odium from all quarters to resist him in his efforts to recover. Institutions that have to deal with these men personally, and to learn their interior life, with all their struggles and temptations, have an opportunity of awakening an interest in the popular mind that will lead to a better sense and a higher and truer appreciation of the condition of the drunkard, and what he needs.

2698. Those being the advantages of these institutions, do you contemplate their being numerous?—Yes. I have such a hope.

2699. And national?—I do not know whether you mean by national, those that are incorporated by the national Legislature, and sustained at the expense of the nation.

2700. Would you have it fostered by the State?—Yes; I think it desirable not to have institutions strictly under the control of the State. Our institutions, many of them, are what we call private corporations, and originate spontaneously with the people. A few benevolent men get together, and agree to organise an establishment for some particular and dependent class; they are visited by a State board of charities, and are recommended to the Legislature for encouragement; the Legislature fosters them by appropriations, but without any direct control, so as to keep them out of the range of political influence.

2701. Apropos of that, are the existing institutions with which you are acquainted supplemented by State aid?—Yes; some of them.

2702. Is that of Media?—No.

2703. While contemplating those municipal or State institutions, do you do that to the exclusion of those erected by private enterprise?—Not at all.

2704. You would let those go on side by side with municipal institutions?—Certainly; some of us who are interested in this matter are now contemplating a movement in the city of Philadelphia something like this, which we suppose will save a very considerable amount to the city in its municipal management, and relieve a large class of persons. Our city is divided, I think, into 18 police districts. Each district has its police station, and each station has its chief officer of police, called a lieutenant, and his staff, and he has under his control the entire police force of the district. They make their returns by tele-

graph to the central office frequently through the day, and their official returns every morning. In connection with each of these police stations is a magistrate. The people who are taken up in the streets are put into the lockup, and in the morning they appear before a magistrate, and then pay a fine or are sent "below," as we call it, to gaol. Now we propose to recommend that for the class of street drunkards, who are not disorderly, who have committed no offence against the law, instead of having these police stations or any addition to the police stations, there should be in each police district an ordinary dwelling-house, that would be a home for inebriates, so that they might not be thrown into a cell with the common felon or burglar. We propose that this house should be put in charge of a good man and his wife, with a sufficient number of servants, and that when an inebriate is taken, he shall not be locked up and put in a filthy cell, but retired to a decent room with a comfortable bed, that he should be washed, and the next morning, instead of being turned out without anything to eat (as I believe is the case at the police station) he should have his coffee and his nourishment, whatever might be necessary, and instead of paying five dollars to the police magistrate, should pay that amount to the house for its support. We believe that in that way his self-respect would be preserved. The magistrate, of course, would be likely to oppose it, but the advantage to the drinking man himself would be such, that he would not feel, when he went out, that he was degraded. We have some hope that that state of things, after a while, will be brought about.

2705. Mr. *M. Henry*.] Are your magistrates paid partly from the fines?—They may be paid partly from the fines. I do not know positively.

2706. So that it is the interest of the magistrate to convict a man?—Certainly, if this be the case.

2707. Mr. *Birley*.] What proportion of the fees does the magistrate receive?—I cannot tell you.

2708. Dr. *L. Playfair*.] Is it the fees or the fines he is interested in?—I cannot speak positively.

2709. Mr. *C. Read*.] Has the magistrate the power of inflicting a larger or a smaller fine?—I think the fine is limited; there is a maximum.

2710. How much is that for drunkenness?—Five dollars I think.

2711. *Chairman*.] You appear to think it as wise to detain a man in an institution such as you describe, and to try to cure him, as it is to imprison and punish him?—I think it is a great deal wiser.

2712. You think for the benefit of the individual and the good of the State, that it is the preferable course?—Certainly.

2713. In your comprehensive view of the whole subject, you are prepared to recommend that?—Entirely so.

2714. Have you not a new house of correction built, or about to be built in Philadelphia?—Yes; it is now being erected.

2715. Has any arrangement been made, or is any about to be made, for the reception of inebriates there?—Yes; a Bill has been brought before our Legislature, and has been passed; the original Bill contemplated a house of correction for all vagrants and inebriates; persons who

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might be sent there by the courts. The friends of these measures which we are now discussing, appeared before the Legislature, and were enabled to procure a provision in the Bill to erect upon the grounds of the house of correction what they call a hospital, built for inebriates, so that all inebriates who are taken up instead of going into the general house of correction and being put to labour immediately, are sent to the hospital department and treated for inebriety until they are sufficiently recovered for the warden or the person in charge to determine their *status*. If they are common vagrants who are likely to go back into habits of idleness and intemperance, they can be transferred to the working house and be detained there for a length of time, and the others can be discharged. We consider that as so much gained towards the idea of intemperance being a disease, and we have been enabled to procure the recognition of the fact in the title of the department as a hospital department.

2716. Mr. W. H. Gladstone.] I am not sure if you have told us how you would treat the accidental class?—They simply need retirement and repose, and an opportunity to understand themselves, with such mitigation as each condition may require.

2717. But you would give them some such term as the other two classes?—Yes; I think there is a popular impression abroad; I do not know how it may be here, but there is with us an idea that there is a sort of specific treatment for drunkenness; some radical cure. No such thing within my knowledge exists: in fact we ought to admit in the first place that a very considerable proportion of drunkards are beyond the reach of recovery if left to themselves or outside of an institution; that in a place of detention they can be kept and made to some extent profitable, or at any rate self sustaining; and that in so far as their detention is concerned it is a relief to their families.

2718. For the most part, in these institutions, the patients are from the affluent classes, I think you say?—Not all of them; I speak now of that in which I am particularly interested.

2719. Where that is not the case, the expense of maintenance must fall upon the state legislature?—Upon the state, or the municipal authority.

2720. Can you say if large amounts have been granted in that way?—Yes; in the New York State (Dr. Dodge will be able to tell you definitely about it) the appropriations have been quite large. They have received, from what they call their excise law, a certain per centage, I think 10 per cent., of the revenue from licenses, which has been appropriated to these institutions.

2721. Can you tell how the original expense of the building was defrayed?—Largely by private contributions. There was an Englishman, I think, Dr. Turner, a very enthusiastic man, who travelled over the entire state, receiving small contributions; he did not take large sums of money, except in a few instances; he took small contributions of 10 dollars, and every contributor of that sum became a shareholder, and was entitled to vote for the directors and trustees. He procured a large amount of money in that way, and as these persons were very widely scattered, he was enabled, from his personal knowledge of them and constant intercourse, to procure their proxies,

and influence their votes. In that way they got into a great deal of trouble; then afterwards came this excise law, by which they received a large amount of money, which was not, I believe, very judiciously employed. I cannot speak with any authority with reference to that institution.

2722. Has the state legislature in any cases undertaken the cost of the erection of buildings?—Yes, in Massachusetts; they have procured some ground in the City of Boston, at a short distance, and the state has made an appropriation towards the building; they are also building at Brooklyn, I think, from the excise fund.

2723. Chairman.] By Brooklyn, do you mean King's County?—Yes.

2724. Mr. Downing.] Your establishment was only called into operation in 1867?—That is so; they are all of them new in our country.

2725. I do not exactly know when you consider a patient cured?—I never mark a man as "cured" when he leaves, or very seldom. I let him go and watch him. A great deal depends upon the moral character of the man, and his surroundings, his social position, his business, and so on. A man who is depraved in his other habits, a profane, vulgar, low-lived man, is very seldom marked as recovered; he is not expected to recover.

2726. Have you any persons of that kind in your establishment?—Occasionally they find their way there; I do not mean by low-lived persons simply poor men who are unable to meet their expenses; I mean men of low moral perception.

2727. Did I understand you to say that the average period during which patients remain at your establishment was 100 days?—Yes.

2728. Do you think that is a period during which a cure may be effected by a person who is considered an habitual drunkard?—No, that is not long enough.

2729. Then you cannot speak from experience which you have derived in your own establishment with any very great certainty, because none of the patients have remained for a sufficient time?—That is the average, but some have remained two years in the establishment.

2730. Have you known any patient who was in your establishment who became perfectly cured and did not afterwards fall?—Certainly, I know many who have not fallen up to the present time; I cannot tell what they will be this time next year; I can point to 70 or 80 persons who are actively engaged in the duties of life, in business, and are faithful in all their domestic and social relations, so far as I know.

2731. Have these persons been what you would call habitual drunkards?—I do not know quite what you call an habitual drunkard; I think the average length of time during which they have drunk to excess before coming to us has been eight or nine years.

2732. When do you consider a man becomes an habitual drunkard?—As I have said, we do not use the word "habitual." A man may be in the habit of drinking once in six months, or he may be in the habit of getting drunk when he goes to a dinner party or to an election, and at no other times.

2733. Would you consider a man a confirmed drunkard after he had been brought three times within two months before a magistrate, and fined for

for drunkenness?—I think I should, if he had had opportunities sufficient to enable him to overcome his habit.

2734. You said there were three classes of cases which would require treatment?—Yes.

2735. I take it for granted you would not have these three classes mixed together in the same asylum?—I should not like to have them together in the same house; I see no reason why they should not be together, under the same control, in different buildings.

2736. You think there is a class which may be considered so degraded that there is very little hope of their recovery?—Yes.

2737. And there is another class that you think by proper treatment and by being confined for a certain time may be recovered from their habits?—Yes, entirely so.

2738. Do you approve of the power to send parties to asylums where the friends apply to a judge for the order?—I think it is quite legitimate that that should be done in some cases.

2739. The system which you have described to the Committee is exactly that which takes place when the friends of a person who is insane apply for a committee of his person, to take care of him?—Yes.

2740. And you think that such a person is better off in an asylum than if he were allowed to go abroad from week to week, lose his reason, and perhaps destroy his moral character, by habits of drunkenness?—No doubt of it.

2741. Would you not think that the State would be justified in spending a portion of the public money in establishing asylums of the kind?—I think the State would find it exceedingly economical to do so.

2742. Do you think that the system which you have carried out in your asylum is the best?—No, we need much improvement.

2743. You do not think that the voluntary plan is successful?—I think it is, with a certain class of cases.

2744. That is with persons of education, who have some control over themselves, and a desire to regain their position in society?—If I could form an accurate estimate of persons before receiving them into the asylum, I should reject everybody that did not come of his own volition, and who had not a purpose in coming to recover.

2745. Are you acquainted with Dr. Fisher, the resident physician of the establishment at Ward's Island?—I am not personally acquainted with him.

2746. Have you been to that asylum?—No, it is a very inaccessible place.

2747. Is it not very well calculated to restrain and prevent persons from escaping?—Yes, it is on a small island.

2748. Have you read the report of Dr. Fisher upon that asylum?—I have.

2749. You are aware that he condemns altogether the voluntary system?—Yes.

2750. And that he is entirely an advocate for restraint?—Yes, and I think he is right, if he selects his class.

2751. You also agree with him that there is a certain class of men of whom it is hopeless to expect that they will be reclaimed?—Yes.

2752. You are aware that persons are sent to Ward's Island from the gaols who have been committed for intoxication and disorderly conduct?—Yes.

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2753. There are what are called free persons in that asylum who are put to work?—Yes, I believe so.

2754. Do you agree with Dr. Fisher in this; "The regular habits and forced abstinence from drink which this class undergo in the asylums are of undoubted benefit to those people, but beyond this temporary check to a life of dissolute poverty, it is doubtful if any good is accomplished"?—No doubt it is true of that class; at the same time I think it is equally true that another class would be damaged by restraint. I think if any gentleman of this Committee should find himself a condition to seek a refuge under peculiarly oppressing circumstances, and then find himself shut up and restrained, when he was entirely himself, it would be a disadvantage to him; it would be to me.

2755. But as regards that class to which I have referred, you consider it would be a great benefit to the parties themselves and to society at large, if that power which you say does exist was applied in this country so that they could be confined for 12 or 18 months, and, at the discretion of the resident physician, sent into the world again, and if they fell into the same habits, might be again committed. You would rather incarcerate them for life, than have them upon the public streets, a disgrace to society and themselves?—Certainly; I have said the same thing substantially in my paper on classification, &c.; "Detention in asylums or sanitariums, with appropriate work for body and mind, under prescription of medical officers, and a limited probationary trial before being finally discharged, would be the salvation of thousands of inebriates, and a source of economy to the State. In many cases the detention might be permanent, and it could be made more or less productive by the labouring classes."

2756. Mr. W. H. Gladstone.] Could you give a definition of the classes you think it would be well to take power to detain?—I think the classes that come under the general term "incurable." After you have determined that a man is incapable of taking care of himself and being productive to society, it is to the advantage of society to take care of him, if for no other reason, to keep him out of mischief.

2757. Mr. Downing.] Mr. Fisher also says, "A third class has been established for the benefit of inebriates in reduced circumstances who are unable to avail themselves of the advantages of the institute, and by the payment of a small sum, are relieved from the humiliating necessity of appealing to public charity," you would also approve of that?—Yes.

2758. Where the party had not the means of paying the full amount he might, by the payment of a certain sum, be admitted into the asylum?—Yes, that principle is observed in institutions without any public aid, where the payments are sufficiently large from those who pay to allow a margin to take care of those who cannot, or who can only pay partially.

2759. Mr. Akroyd.] You laid stress upon the necessity of having a probationary term for each patient after the period of detention had expired?—Yes.

2760. Are you of opinion that in a small place like Ward's Island there would be more difficulty in adopting that probationary period than in a larger establishment?—I would let such a man leave the island.

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Dr. 2761. The probationary period is for the purpose of enabling the inmate to resist temptation and acquire self-control?—Yes, he should go where temptation is.

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2763. You told us that in receiving inmates into your asylum you invariably took away their money?—That is our rule.

2764. I presume, during the probationary period, you allow the inmate to have a certain amount of money, so as to enable him to resist the temptation of spending it in drink?—Certainly, that is very common.

2765. Your object in taking the money is to place it beyond his power of rushing into temptation?—Yes, until he shows some ability to resist temptation.

2766. You say that in your curative treatment you occasionally use the Russian bath; is that similar to what we call the Turkish bath?—No, the Turkish bath is a dry heat, the Russian is a vapour bath.

2767. The object in both cases being to induce perspiration?—Yes, the Russian bath is more easily borne by this class of cases; the degree of heat is not so oppressive.

2768. I think in the state of Pennsylvania you passed a law prohibiting the sale of intoxicating liquors?—Yes, not exactly prohibiting. We have a law that is very commonly discussed at this time in the several states, somewhat similar, I suppose, to your Permissive Bill; it is called the Local Option Law. I have a copy of it with me; and I have also the laws of a number of our states. Before coming here I wrote to the governors of the different states and territories, asking them for the laws regulating the sale of intoxicating liquors, and telling them the reason why I desired it. I have the laws of Iowa, Texas, Massachusetts, Rhode Island and other states. The laws of the State of Massachusetts are positively prohibitory. The Local Option Law of Pennsylvania provides that, in each county and city on the day of the municipal election in March, the voter shall have a right to vote whether licenses shall be granted or not. One ticket is marked "License," and the other "No License." And in voting for city or county you drop in the paper to the box. The papers are counted by the judges of election; and if the people in the city or county vote, determining that there shall be no licenses granted for the sale of intoxicating liquors, the courts do not grant them. If they vote the other way, the courts do grant them.

2769. Mr. Miller.] Is it a bare majority that decides?—A bare majority. The matter has not been tested before the Supreme Court. In several instances the law has been passed for a particular locality; for instance, before the general law was passed in March, one of the wards in our State, the 22nd, applied to the Legislature for a law for that ward alone; and, of course, as the people asked for it, the Legislature granted it, as the people are supposed to be the rulers. A gentleman residing in the ward applied to the Court for a license, and on the 18th of last month, the day after I left home, the matter was to come before the court to be decided; what the result has been I do not know. The decision of the

Supreme Courts, some years ago, upon the same principle, I believe, declared such legislation to be unconstitutional; and, I suppose, that would be the result of this law, from the concurrent sentiment of the press on the subject, and the general opinion we hear expressed. Supposing the law not to be unconstitutional but to be legitimate in all respects, it is the opinion of some of us that it would work injudiciously, for this reason, that in counties or cities where the temperance sentiment prevails, and where you have a sober and industrious people, you would simply get the voice of the people in favour of continuing their temperance and their industry. But in the localities where the temperance sentiment does not prevail, and where you want the effect of the law most, you would not get it; so that it would not seem to be wise legislation. We have also a law called the Ohio Law, passed sometime since in the State of Ohio, and also in the State of Indiana, which is in the nature of a restrictive law. It provides that licenses shall be granted, but under rigid restrictions. A woman having a drunken husband has a right to go to the keeper of a public-house, and give him notice not to sell her husband liquor. If he does sell him liquor, he becomes responsible for what we may term here "consequential damages." If the husband goes home and burns a neighbour's house or barn, the man who sold him the liquor is obliged to pay for it.

2770. Mr. C. Read.] Suppose he knocked another man down?—He has to pay the damages that the court may impose.

2771. Mr. Akroyd.] Has it been within your power to observe the effect of the prohibitory law when enforced?—I do not know that it has been enforced anywhere. There is a law that was passed 21 years ago, in Maine, called the Maine Liquor Law, and the same thing has been done, to a large extent in Massachusetts. Our people are restless, as you know, and somewhat credulous, and we pass laws under the impression that they will execute themselves, but we are beginning to find out that they will not; that it requires a complaint, a suit, and a trial. A prohibitory law, in order to be effective, must find persons who complain of its violation, and there are very few persons who like to put themselves in that position. I will read you a letter that I received the other day from a gentleman who occupies a very prominent position in Boston. He was a distinguished temperance man to whom I wrote asking the question, "What do you know about prohibitory laws, and the punishment of drunkards?"

2772. Chairman.] Have you any objection to mention his name?—Not at all; it is Mr. Otis Clapp. He is Assessor of the United States, Fourth District of Massachusetts, and one of the vice-presidents of the American Association for Cure of Inebriates; he is a man of very well known reputation, both for integrity and ability in every way. I was anxious to know what his views were as a moderate and sensible man. He writes thus: "You wish to learn about prohibitory laws and the punishment of drunkards, and their effect upon the habits of the people in Massachusetts and other places. It is no easy matter to do this, because the whole question is in a sort of muddle. The prohibitory law was on the statute books many years; but as it was left to city officials to enforce them they were

not enforced. Ardent spirits were freely sold in Boston up to within a few years. This gave dissatisfaction to the country, and they tried to give Boston a metropolitan or State police. This Governor Andrew vetoed, or threatened to do so; and a friend, at his suggestion, offered in the Legislature a Bill for a State police. This the temperance men caught at, and helped to establish. They prosecuted the hotel bars and rich liquor sellers. The consequence was they formed a secret order (P. L. L.) all over the State, who entered into the election, and thus gained votes enough to repeal the law. After a year or two it was re-enacted, and then again altered. So we go, within a day or two, after a long and earnest debate, they come within one or two votes of another change. I mention this to show that we have nothing to settle on this matter of prohibition but what is unsettled. The law now is against the selling of distilled spirits, but towns may vote to authorise the sale of ale or lager. Cider is freed. Some towns and cities vote to authorise the sale of these and others against. The consequence is that regular drinkers can purchase what they want. In the rural districts at a distance from the cities, or large towns, it is generally difficult for drinkers to procure intoxicating liquors. But in the cities we have hundreds of poor men and women who keep no bars, but who retail spirits by the glass to customers whom they know, and never have on hand, at one time, more than one quart or gallon of spirits. They purchase as they need. Indeed it is peddled from waggons like milk. In short, prohibition may have its advantages, but it is not here more than a partial success. I wish I could present you a more pleasing picture, but I cannot. The rum interest can raise untold thousands in men or money to form regiments of drinkers and inebriates to battle in aid of their own destruction. I have consulted some persons as to what would best serve your purpose. I, therefore, send some reports of the 'Massachusetts Temperance Alliance,' which strongly represent the prohibition principle and the law." The measures resorted to for evading the law are very curious and very numerous, and it has always been a question with me whether the demoralisation of society in creating a sense of disrespect for the law, and all sorts of manœuvres to evade it, is not almost as great an evil as the drinking of liquor.

2773. Mr. Akroyd.] Is it your opinion from the information you have received, that even if the prohibitory law is passed, it is rather hurtful than useful to the cause of intemperance?—I think it is.

2774. And even the prohibitors themselves never presume to interfere with private drinking. Any gentleman may have at his own private house any quantity of beer or wine that he thinks proper?—The general law (which in our States we have no right to touch), allows the importation in the original package of wines and brandies, and even in the States where prohibitory laws are enacted and nominally enforced, nobody can interfere with the trade in imported liquors, if they are sold in the original package. A judge who goes to a wine merchant and gets a basket or a package of wine, and drinks at his own table, and then sits upon the bench to try a man for drinking intoxicating liquors bought by retail, of course feels a degree of inconsistency in attempting to deal with him under such circumstances. The prohibitory law itself admits of the sale of

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malt liquors and cider. Then again, the law in Massachusetts is that no liquor shall be sold over a bar. You on that side of the bar cannot sell it to me on this side, but you can go into another room and put it upon a table, and I may sit down and drink it, and no law can touch me. Or you can go into a town and register your name on the hotel books, and if you want to get a drink, and cannot see any bar, the proprietor comes and sees what you want, and says, "While you are here in town you can become a member of the Commercial Club by paying a dollar, and that will entitle you to a certain number of tickets, and each ticket will entitle you to a drink, which you can get in a private room."

2775. Mr. Miller.] That is where the prohibitory laws are in existence?—Yes.

2776. Mr. Akroyd.] Is it the fact that narcotics such as opium and chlorodyne are used to any extent?—Yes.

2777. We had evidence the other day from a witness, who stated that he found a lady in a state of intoxication from excessive doses of chlorodyne; she had been drinking the washings out of a number of chlorodyne bottles. Do you find any abuse of these things prevailing in the United States?—Yes. The use of opium in its various combinations is getting to be very common. I have had in the institution that I represent here quite a number of such cases. They have generally been, so far as my experience has gone, amongst professional men. A physician very well known in his locality as a respectable man, who had suffered very much from neuralgia, was advised by his medical friends to use morphia by the hypodermic method; putting it under the skin with a little instrument. He found great relief from that. He was of a nervous and irritable constitution, and he continued to use the morphia lest he should have a recurrence of the attack of neuralgia. The habit grew to such an extent that for a number of years, he was in the habit of injecting morphia under the skin three times a day, and when he came to me, he had been doing it for two or three years three times a day. He entirely recovered in the course of a few months, and is now actively engaged again. I have also seen it administered in another form, which is a little more disgusting than that. That was also in the case of a physician who regularly used it *per anum*; in the shape of suppository for a number of years. The use of it by the mouth in the form of solution, either as morphia or laudanum is not uncommon. I have seen a gentleman take as many as 60 grains of morphia at one dose.

2778. Dr. L. Playfair.] Is it common amongst the working classes of America?—It is common to some extent amongst some classes, but not much amongst the working classes; it costs too much; it is more expensive than whisky.

2779. Chairman.] Do you consider your American morphia to be of equivalent strength to that of the English Pharmacopœia?—I believe it is; a quarter of a grain to a dose.

2780. Mr. Akroyd.] If it were possible to prohibit the use of intoxicating drinks by legislation, is there not some danger that persons accustomed to these stimulants might have recourse to still more dangerous stimulants in the shape of these other ingredients to which you refer?—There is no doubt about it, I think.

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2781. You have alluded to the advantage of having these inebriate asylums not too large. I presume you desire them to be somewhat of the character of our reformatories. May I ask if you have in the United States any reformatory schools analogous to those that we have in this country for reclaiming juvenile criminals?—Yes.

2782. The discipline and mode of management then would be in some respects similar to the management of these reformatory schools?—Unfortunately with us, those schools are large, containing 400 or 500 inmates.

2783. Mr. Baker, who introduced these schools into my county, laid great stress on the fact that they should not be large county institutions, but in the shape of small reformatories containing not more than 25 or 30 inmates, and that out-door labour, such as gardening, should be found for them; do you think that a similar arrangement would be desirable for these inebriate asylums?—Yes.

2784. It is easier to carry on a system of reformation in a family grouping than with a large number?—Yes; inebriates are men who generally abandon their family, and they want family arrangements, and to cultivate family amenities.

2785. These reformatories are often managed by county magistrates, the Government making certain grants, and a certain portion of the income being derived by voluntary subscriptions. Do you think that would be desirable in the case of these inebriate asylums; that they might be managed in a somewhat similar manner by receiving grants from the central government, and yet having voluntary managers, gentlemen of position in the various localities?—I think so.

2786. Mr. M. Henry.] I think you said that the punishment of drunkenness in Pennsylvania was a minimum fine of five dollars, or equivalent imprisonment?—It is a maximum fine of five dollars, and I think the imprisonment in default is 30 days. The fine may be anything below five dollars, but I do not think the magistrates take less if they can get that.

2787. I understand that the magistrate has the power if he likes, instead of sending a person to prison who cannot pay a fine to send him to your house?—No. No magistrate has a right to send anybody to us; he can send them to a place of confinement.

2788. They are only sent to your house compulsorily after an investigation by a jury?—Yes.

2789. Do you happen to know what is the penalty for drunkards in the other States of the Union?—I do not. It varies very much, but I can give you the laws on the subject.

2790. Would you tell the Committee the payments that patients make in coming voluntarily to your establishment?—The highest price we receive is 25 dollars a week, and the lowest would be 8 or 10 dollars. We also receive a few patients gratuitously.

2791. They all live in common as one family, no distinction being made?—None. They have a dining-room about as long as this room, but not quite so wide, at which there are small tables on the restaurant principle, four persons sitting at each table. In that way they make their affinities, and form their own associations, socially.

2792. Did I gather, as the general result of your evidence, as regards your own institution,

that, provided you had a power of compulsory detention in cases in which persons are sent, after investigation by a jury, that would be all that you would require in addition to your present appliances?—Yes, I think that power is necessary. I cannot say but what we might like to have some other privileges, an appropriation of money for example.

2793. That is all the legal power you require?—Yes, the power to hold a certain class until they are fit to be at large.

2794. Mr. Miller.] You have given us some information as to the prohibitory laws of America for the sale of intoxicating liquors. Is it the fact, that lately, in your State of Pennsylvania, there was an option law passed to come into operation in March next?—Yes.

2795. What is the nature of that law?—We have 69 counties in Pennsylvania, and they have governments of their own. They manage their own local affairs by a board of county commissioners, which is, in fact, a Legislature for the county. We have in the cities the select and the common council, as we call them, which correspond to the Senate and the House of Representatives in the State, or the House of Lords and the House of Commons here. One cannot pass a Bill without the approval of the other.

2796. What could induce the State of Pennsylvania to have such a law if they were of opinion that it could not be enforced?—The Legislature is not the arbiter on that subject. The Supreme Court of the State determines the constitutionality of the legislation. I was present at our State Capitol during most of the time last winter, when this matter was discussed, and I think it was granted in answer to the very large appeal from petitions from churches and societies of all kinds, and men and women sent in cartloads of petitions to have this local option law. The Legislature passed it, and the Senate passed it by a majority of only two.

2797. Out of how many?—I think 30. It was quite understood by one party in the Legislature that it would be a good thing to pass the law for certain political reasons, and to leave the question of its constitutionality to the Supreme Court.

2798. I gather from you that you have no great hopes of its being acted upon?—Not much.

2799. The evidence you have given on this matter is very much derived from your own experience?—Yes.

2800. Sir H. Johnstone.] You referred, in the early part of your evidence, to the question of personal supervision; I suppose you attach great importance to it?—Very great.

2801. It is impossible to exercise it with good effect over more than a certain number of inmates?—I think so.

2802. You spoke of withdrawing these people from temptation, I suppose, on the same ground that it would be desirable to diminish the temptation out-of-doors to these people?—Certainly.

2803. What has been done in your State in that respect; had you free trade in liquor before these recent laws?—In the original charter instituting our town, which is a new town of only 15 or 20 years' standing, there is a prohibitory clause; no man under the charter has a right to sell intoxicating liquors in the borough, that is, within one mile square. Outside in the county which,

which is under the direction of the court in those matters, the law is, that if a man wants a license to open a tavern, or a place where he can sell liquors, he must get the petition signed by twelve freeholders, who certify to his respectability and his fitness for the position. That goes to the court, which sits once in three months; the judge receives the petition, and hears evidence in favour of the applicant, and grants him a license for which he pays a consideration; I believe 20 dollars. In the larger cities there is a Board of License Commissioners.

2804. By whom appointed?—I think by the judges; I do not recollect how many there are. When a man wants a license the commissioners receive his application and get his money

2805. What becomes of the money?—It goes into the State Fund. I think the amount received for licenses is about 300,000 dollars a year. The licenses are graded in the cities according to the amount sold, or supposed to be sold, every year; the amount charged is from 50 to 500 dollars.

2806. According to the quality of the house?—According to the quality of the house; but I took the trouble a few years ago to procure from the Treasurer of Philadelphia the names and numbers of the license holders, and the amount paid. All of them, I think, except three, paid 50 dollars; in the case of those three hotels they paid more.

2807. Those houses were of all classes?—Of all classes; showing that they evaded the law, and did not pay in proportion to the sales, because some of them sold more than the larger hotels would sell. This exhibits the looseness of the way in which the thing is done.

2808. I understood you to say the license was estimated in proportion to what they had sold in a previous year, and what they were likely to sell in the future year?—Yes.

2809. You mean it has not been rigidly carried out?—No.

2810. In the judicial process, before the commitment of a person for what we call habitual drunkenness, who are the commissioners appointed by the judge; are they taken at random?—One commissioner is appointed by the judge, who calls a jury, selecting them from the citizens at large, without reference to their having been on the jury list.

2811. After the verdict has been reported to the judge, he appoints a committee?—Yes.

2812. How is that committee selected?—He is generally nominated by the friends of the inebriate, I believe.

2813. *Chairman.*] Do you mean the committee of the person, or of the property, or both?—The same individual may be the committee of the person and the property, or there may be two persons.

2814. *Sir H. Johnstone.*] Is a record kept of every case of drunkenness coming under the notice of the police?—Yes; the police return every morning by nine o'clock to the mayor's office, or the chief of the police office in the same building, the names of the persons committed to the lock-up during the night, and the offence for which they were committed.

2815. The police have no authority to discharge at their own discretion any whom they find guilty of drunkenness?—Not after he has been committed.

0.73.

2816. They must be apprehended?—I do not mean that they are committed by a magistrate's process. The police may take up a man who is drunk, and put him in the lock-up without any process.

2817. There is a record kept?—Yes; in the morning the person is brought before the magistrates and discharged or committed.

2818. After how many convictions do you think it is desirable that these persons should be sent to inebriate asylums?—After the first, if you want to cure the man. This is, however, not to be considered as an answer bearing on the legal aspect of the subject, but it is evidence of the man's necessity for care and treatment.

2819. Before the Maine Liquor Law was introduced into your State, had you any popular control or supervision over your liquor traffic in the sense of the voice of the people expressing itself directly on the question of licenses?—No, we have been for many years under the old liquor law. There is a strict prohibitory provision which still stands, allowing the friends and relatives of an inebriate to give notice in writing to a liquor seller not to sell; and if he sells contrary to their written request, he may be prosecuted for violating the law. It is a prohibitory provision applying to drunkards only.

2820. There was no direct control of the people over the issuing of licenses?—No.

2821. How are the county commissioners appointed?—They are elected by the people.

2822. And they regulate the issuing of licenses now?—No, the judges.

2823. By whom are the judges appointed?—They are elected by the people.

2824. *Mr. C. Read.*] Is there any State in America where there is a public prosecutor, an officer whose duty it is to put the law in force?—I think in Massachusetts the State constabulary is invested with such authority.

2825. To prosecute all offences against the prohibitory law?—Yes, the State constabulary is appointed for the purpose.

2826. Did I understand you that this prohibitory law does not interfere with beer or cider, but only with spirits?—Some prohibitory laws make an exception in favour of beer or cider.

2827. So it is the general opinion of the American people that drunkenness is produced more from spirits than from the consumption of beer and cider?—No doubt.

2828. So that if drunkenness was confined to the effects of drinking beer or cider it would not be so bad as it is?—Of course not.

2829. The effects of the prohibitors law must be much more severely felt by the poor man than it is by the man who can buy things wholesale and drink in his own house?—Yes.

2830. Have you seen any increase in the consumption of opium since the prohibitory laws have been in force?—It is generally believed that there is an increase; I have no knowledge of it personally outside of my own range of observation in my particular specialty; there I have seen a considerable increase.

2831. Do you attribute that in any way to the effect of the prohibitory laws?—Not altogether. It may not be so much the effect of the prohibitory laws as perhaps the effect of public sentiment against drunkenness; people want something, and they do not wish to go to a tavern to get drink, so they will go to a druggist and buy opium, and take it home. I am now pursuing some investigations as

Appendix, No. 5.

The following Table will show a few individuals who, from their many repeated imprisonments, and a long career of intemperance, have been almost the constant inmates of this Prison :—

	Date of Prisoner's First Imprisonment.	Date of Last Imprisonment.	Number of Times in Prison.	REMARKS.
*Margaret McCormick - (This woman's crimes were almost invariably window-smashing, all acts of violence.)	1844	1865	137	Drowned herself when intoxicated.
Jean Nairn - - -	1841	1857	51	Dead.
Nelly Dockertza Rox -	1842	1860	83	Dead.
Janet Mitchell - -	1850	1871	80	
Jean Narrie - - -	1842	1852	22	Dead.
Catherine McDonald -	1844	1872	102	
Margaret Bell - -	1850	1868	62	
Agnes Stewart - -	1841	1871	59	
Ann Cuthbert - -	1843	1862	49	Dead.
Eliza Bruce - - -	1849	1871	56	
Augusta Dempsey - -	1858	1871	44	
May Cameron - - -	1848	1862	40	
Ann Speed - - -	1845	1862	40	
Catherine Roy - -	1845	1862	32	
Eliza Carmichael - -	1862	1871	22	
Agnes Wood, or Drew -	1852	1871	36	
Mary Ann McNiel - -	1857	1862	29	
†David Todd - - -	1844	1862	21	
‡William Thomson - -	1853	1871	29	

* Margaret McCormick was a young woman, a very skilled needlewoman, who could earn large wages. She never was convicted for theft, but for breaches of peace and window-breaking when drunk.

† David Todd was well educated as a surgeon. Never steals, but, when under the influence of liquor, commits breaches of the peace.

‡ William Thomson was at one time a respectable tradesman, but, when under the influence of liquor, commits assaults promiscuously on any person with whom he comes in contact.

TABLE showing the Number of Persons, Males and Females, who were Apprehended or Cited by the Police of the City of *Perth*, from 1st August 1861 to 1st August 1871, and the Number who were in a State of Intoxication at the time the Offence was Committed :—

Number Apprehended or Cited.			Number in a state of Intoxication when the Offence was Committed.		
Males.	Females.	TOTAL.	Males.	Females.	TOTAL.
6,079	3,040	9,119	2,864	1,368	4,232

Appendix, No. 6.

PAPERS handed in by Captain *McNeill*.

EAST RIDING PRISON, BEVERLEY.

Appendix, No. 6.

NUMBER of PRISONERS Committed and Received here (for the following years) for being Drunk and Disorderly :—

1861	-	-	-	-	-	42	1867	-	-	-	-	-	57
1862	-	-	-	-	-	43	1868	-	-	-	-	-	39
1863	-	-	-	-	-	33	1869	-	-	-	-	-	32
1864	-	-	-	-	-	66	1870	-	-	-	-	-	39
1865	-	-	-	-	-	64	1871	-	-	-	-	-	49
1866	-	-	-	-	-	36							

16 February 1872. *Alfred Shepherd*, Governor.

BOROUGH GAOL, LEEDS.

NUMBER of COMMITTALS under the Leeds Improvement Act, and the Wine Licenses Act, which are chiefly for Drunkenness; also the Number of Assaults, as many of these arise out of the same vice of Drunkenness :—

	1861.			1871.		
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.
Assault - - -	242	51	293	325	64	389
Leeds Improvement Act	449	174	623	699	351	1,050
Wine Licenses Act -	59	57	116	20	-	20
			739			1,070

16 February 1872. *C. A. Keene*, Governor.

WEST RIDING PRISON, WAKEFIELD.

BEFORE 1865 no Record was kept of Commitments for Drunkenness, as that Offence was included under the Head of "Local Police Offences." The Commitments for Drunkenness during the Seven years the Record has been kept, were :

1865	-	-	-	-	1,133	1869	-	-	-	-	1,403
1866	-	-	-	-	1,140	1870	-	-	-	-	1,411
1867	-	-	-	-	1,186	1871	-	-	-	-	1,584
1868	-	-	-	-	1,436						

16 February 1872. *G. Armytage*, Governor.

Dr.
J. Parrish.
—
7 May 1872.

condition of life. They have been committed because they were not in a condition of mind to judge what was best for them; but still it is desirable to maintain, to a considerable extent at least, the self-respect and social standing of the men with reference to their immediate surroundings and their habits of life.

2851. Major *Walker*.] You described to us, with some detail, at the last meeting of the Committee, the legal process adopted in your State by which inebriates can be confined contrary to their will, through the agency of a commissioner, who calls a jury; can you say, not judging simply from your own establishment, but speaking of the State generally, to what extent that law has been made use of in the State?—It has not been made use of in our State as much, I think, as in some others, but the same principle is now, or is becoming, more popular, and incorporated in the State laws of other sections of the country. Last night I made short extracts from a few of our laws, indicating the peculiarities of legislation with reference to drunkards, and the extent of the sale of liquors, which I can present to the Committee if you desire it.

2852. Has the law long been in operation in your State?—Yes, it is an old law.

2853. On the whole, it is not in very active operation?—No.

2854. Still I suppose you are inclined to think that it is valuable as a deterrent?—Certainly.

2855. I think you said the other day that the justices in your State receive a certain portion of the fines on the convictions of drunkards?—I am not quite clear about that.

2856. Dr *L. Playfair*.] What is the average time that the committed cases have stayed in your establishment?—I think about six months.

2857. And the average time non-committed cases?—Not so long.

2858. Has there been a greater proportion of cures amongst the committed cases or the voluntary cases?—The voluntary cases.

2859. Do you attribute that to the fact of their not being so far advanced in drunkenness, or to other causes?—I think chiefly to their not being so far advanced in drunkenness, and partly because the exercise of their own will and judgment in the case has been salutary.

2860. Do you think the six months' detention sufficient for a committed case?—No.

2861. Have you no power to detain them longer?—No.

2862. They are committed for a definite period?—They may be committed for a definite period, but that is a nominal commitment. The physician who signs the commitment may say, "I recommend A. B. to be committed for one year." Then the parties go before the committing magistrate, and have the signature attested. They may also go before the judge of the court and have the commitment signed by him. But when the man comes to himself, though he is committed for one year, or any given period, more or less, if there is good reason to suppose that he will try to do differently, and if his course for a few months has been satisfactory in the house, I doubt very much if the law would sustain us in compelling him to remain.

2863. There is, in fact, an unwillingness to consider him an insane person, and to restrain him entirely from his liberty?—Yes, a very great unwillingness.

2864. If the popular opinion would not support further detention, and if you think the law would not assist enlightened opinion in the matter, how do you propose to get additional powers for the detention of such cases?—I am not a legislator, and I cannot say exactly, but I suppose it would be within the power of the State to make a supplement to the Act which would require a man to remain, if his presence in community is an annoyance.

2865. But is it not the case, that the law in America, as here in a lesser degree, is very much in its administration under the influence of popular opinion?—Yes, popular opinion is practically law with us.

2866. And do you think that the period of above six months, a period, say, of 12 months, could practically be got into operation in such establishments?—I do not think we are ready for it now, but my impression is that the time will come when a man who is unproductive to society, and whose presence in a community is a positive damage, judging from his past life for years, will be adjudged unfit to be at large, just as an insane person is, and be required to submit himself to a certain amount of treatment for a given period of time.

2867. I think you said you were making some inquiry amongst the druggists of your State as to the increased use of opiates amongst private persons?—Yes.

2868. Has that gone sufficiently far to enable you to give the result of your experience?—It has not. I have not a sufficient number of returns to enable me to form any judgment.

2869. Let me quote this case, as occurring in a particular street in Manchester, where three druggists supply between them 600 families of the poorer classes weekly with opiates; are you likely to have any such cases in Philadelphia?—Not to that extent, I think.

2870. Then the action, smaller or greater, of the permissive law, such as it has been, or the optional law, in your State, does not yet seem to have produced any great increase in the use of opiates amongst the population?—It only became law in our State in March last. In other States of the Union, where there have been prohibitory or semi-prohibitory laws for a number of years, I am not able to speak from personal knowledge, but it is an opinion commonly received amongst physicians in those sections of the country, that there is an increased use of opium.

2871. I observe that I have conveyed a wrong impression by my question; the case in Manchester was a case of selling opiates for all purposes, and the chief devotion of it is to the children of the working classes, when their parents are at work; I thought you might have a similar use of it in Philadelphia?—There is no doubt that it is done to some extent. There are druggists who keep the ordinary laudanum, what is called officinal laudanum, of a given strength, for medical purposes purely, and who make at the same time a diluted, or more inefficient laudanum, for the purposes of drink. I know of cases where persons are in the habit of purchasing a milder form of laudanum by the pint or quart, and using it instead of alcoholic liquors.

2872. Still inebriation by opiates does not seem to be amongst adults very extensive in America?—It is not known to the people as alcoholic excess is.

2873. Mr.

2873. Mr. *Akroyd*.] In your previous evidence you told the Committee in what manner the prohibitory laws were evaded, where they were attempted to be enforced; may I ask if you have noticed in such cases the formation of clubs where working men can do as the middle classes do in London, and be entirely independent of these prohibitory laws?—I have never been in such club rooms, but I know gentlemen who are members of such clubs from whom I have had information concerning them.

2874. Is it likely that the working classes would form these clubs amongst themselves, as the middle classes do in London, in order to evade the prohibitory law?—You have heard what Mr. Otis Clapp said in the letter that was read last Tuesday that labouring people who could not afford to buy more than a quart or gallon of spirits at a time, would procure that and deal it out to their friends and neighbours in their own houses as long as it lasted, and would then get another quart, making a little profit on every drink. That would be a sort of initial club in the lower ranks of society.

2874.* According to the law of your State, would it be permissible for a body of working men to form a club where they would escape the consequences of this prohibition?—Certainly.

2875. But you are not aware whether any such mode has been attempted?—I do not think it has among the working people.

2876. A previous witness laid some stress upon the importance of rendering physiology and the laws of health a matter of education; may I ask is that point looked to in the United States?—It is to some extent; very elementary physiology is taught in our common schools, and in our higher academics it is quite largely taught, even in young ladies' seminaries.

2877. Do you think that that branch of education has much effect in restraining persons from indulging in these excesses?—I do not know that it has, because I suppose there is very little stress laid upon that particular kind of instruction which refers to alcoholic excess. The general outlines, of course, of physiology, anatomical structure, and the laws of health are laid down; but children are not apt to take them in very earnestly.

2878. I suppose the temptations to self-indulgence in after life would overcome the recollection of this acquired knowledge?—Quite likely.

2879. Mr. *M. Henry*.] In case a person is committed by the physician and the justices to a reformatory of that kind for habitual drunkards, is there any appeal to a permanent court, a circuit court, or supreme court of the State?—Yes.

2880. Are you cognizant of cases in which that appeal has been resorted to?—Yes; I know one case very well, in which a man was declared an habitual drunkard, and about a year after the declaration was made he appealed to the court and had the declaration revoked.

2881. Had he been committed for an indefinite time, and how long?—He was not committed anywhere, but was simply declared an habitual drunkard, and allowed to be at large, on condition that while at large he would keep sober.

2882. Is there any record of that case in the books?—Yes.

2883. Can you refer us to printed reports of any trials of that kind?—I do not think there is

any printed report of the case to which I have referred; but I know the gentleman well, and I have no doubt he would be glad to communicate the facts, taking the records from the court. The facts are on record, but they are not in print.

2884. I should like to see a record of actual cases and the evidence that has been considered sufficient to justify physicians and committing magistrates in sending persons to such an asylum, and also cases in which the individual himself, or his friends, have disputed the commitment, to show the working of the law upon the subject?—I only know of that individual case; that there are others, I have no doubt. I have myself served as a committee for two habitual drunkards. I was appointed by the court.

2885. Can you give us the particulars of that case?—It was the case of a young gentleman of fortune and education. He was the only son of a venerable citizen of Philadelphia. He was a great nuisance to his father, and had been for many years. His father sent him to me; he was restive and would not remain. His father desired me to call upon him, and I advised that he should put this Act in force. He did so. He applied to a judge, and the judge appointed a commissioner who was a lawyer. The commissioner called a jury at his office. I was present during a part of the examination. The young man was there himself, and was taking notes of the evidence on both sides during the whole of the investigation. He made no defence whatever. He felt that he was not able to do so, I suppose, and he was declared an habitual drunkard, after which he came to me voluntarily, his father being his committee. He spent a few days with me and talked the whole question over. I advised him to go to the city, pursue his business, and keep sober if he could, with the sense all the time that this legal rod was over him, and that if he gave way he would in all probability be taken away by his committee and be deposited somewhere and deprived of his liberty. Twice during the year he came to me for relief while drinking. He was intoxicated, I think, at least three times during the year but he gave his father no trouble. He did not stay at home; he had lodgings elsewhere and pursued his literary labours at his lodgings. After passing through a year of this sort of trial, finding that he could get along much better than before (for previously he was drunk every few weeks), he asked his father to withdraw the ban from him; that being declined, he appealed to the court. The evidence of his whole life for one year was brought before the court, and they removed the declaration of habitual drunkenness from him and allowed him to go at large.

2886. That was in Philadelphia?—Yes.

2887. Since this gentleman has been at large, has he come under your notice?—I only met him once. I met him in the street, and walked a few squares with him. He was quite sober at that time, and told me he was doing better than ever he had done. I have no other evidence than his own statement.

2888. *Chairman*.] When you gave your evidence here the other day, you did not mention how far, in your opinion, idiocy was affected by habits of drink; you spoke of insanity, but did not advert to idiocy; have you any knowledge upon that subject?—I have some knowledge upon the subject. I was for a number of years

Dr. Parrish. in charge of an institution in our State for idiots, When I retired from it, we had under our charge from 100 or 150 idiots, and we announced in our report that nearly half the cases of idiocy, as we thought, could be traced to habits of intemperance in their parents' ancestors. But it is very difficult in such cases to get at the interior life of the people. One does not like very well to ask, and the people do not like to answer, whether the father or mother of an idiot child has been a drunkard. Many of these idiots were from very respectable, some of them from affluent families. The question could only be put in a general way, and the answers were very often imperfect, but I have no doubt from the testimony of those connected with such institutions, that a very large proportion, nearly 50 per cent., are attributable to drunkenness.

2889. You were asked a question with regard to the arrangement of the separate classes of cases in separate buildings or separate establishments; supposing a large asylum to be built, would there be any difficulty in placing those different classes in different wards, and yet having one management and superintendence?—I suppose there would be no very considerable difficulty, except that in a large asylum where all the patients are under one roof, you cannot adopt to the same extent the family system, which to me would be an important consideration in the conduct of such establishments. It might possibly be cheaper to conduct a large institution in one building, though that is a question about which there is a very great difference of opinion; I believe that I could build an institution for 500 persons of any class, in 10 buildings, a great deal cheaper than I could establish an institution for them in one building. The walls have not to be so thick, the timber is not so heavy, and there is no necessity (as there is in our large establishments) for forced ventilation; possibly the discipline and management afterward might be more expensive; one manager might be required for each house.

2890. With regard to the power of detaining a patient, are there not some cases of patients admitted voluntarily whom you would desire to have the power of the key upon?—Yes, there are such cases; a great many voluntary cases ought to remain much longer with us than they are willing to remain. I do not know how far the genius of our Government would permit any restraint.

2891. I am asking about the effect upon the case?—The effect upon the case would be greater.

2892. If you had the power of the key, you might not be called upon to use it; but the knowledge that it existed would have a deterrent effect in preventing a voluntary patient going out when you thought he ought to stay?—Certainly, I think it would.

2893. When you were giving another part of your evidence, you spoke generally of alcoholic liquors; you mean by that expression beer, cider, and whatever contains alcohol in a greater or less quantity?—Yes.

2894. Is there any prohibition upon the manufacture of those articles in any State in America?—No, not upon the domestic manufacture; I do not think anybody could be prevented in our country from raising on his own farm, or in his garden, his own fruits, manufacturing them into

wine, and using them in his own family, or giving them to his neighbours.

2895. You have already mentioned that there is no law preventing a person from importing wine or liquor, or anything else in its original packages, even in a State where the prohibitory law is enforced?—That is a law of the general Government.

2896. A universal law?—A universal law which is recognised in some of the prohibitory laws.

2897. I believe you have been what is known in America as a temperance man, an advocate of the temperance cause all through your life?—Yes.

2898. Nevertheless you are not one of those who believe that total abstinence is possible for every person?—I do not think it is; I do not see how total abstinence can be enforced upon the community at large; I think it ought to be enforced upon inebriates.

2899. Have you formulated your views upon the question of temperance and of prohibition; if prohibition were demanded by a large majority of a district, and capable of being maintained, not as a mere ephemeral opinion, in your view should that prohibition be granted?—I think where the popular sentiment will sustain it, it would be effectual in closing saloons; if a very large part of any particular district decides that prohibition is necessary for that district, which they would not do unless the great majority of them were sober people, it would be simply to prevent drinking people, who drink to excess in their vicinity, getting the liquor.

2900. Before you came here for the purpose of giving evidence, had you heard any opinion expressed as to the service that this Committee might be likely to render to the cause, not only of treating inebriates, but of temperance generally?—I think there is an impression among gentlemen who have been informed of the action of this Committee, that something will grow out of this investigation that may tend to harmonise the disturbing elements on both sides of the Atlantic. The advocates of temperance are arrayed against each other on account of differences of opinion as to the best method of accomplishing their objects, and what we need is some authoritative opinion that shall come in between these antagonistic forces, and upon some basis of social science or physiological research shall establish a legislation that will be recognised as wise, and that will be useful.

2901. Is there any other statement you desire to make to the Committee?—I have here a short abstract of the different laws in various States, which will give the Committee an idea of the legislation on this subject. In the State of Texas the fine for adulteration of liquors is from 50 dollars to 500 dollars. In that State there is an occupation tax of 150 dollars upon any person or firm selling spirituous, vinous, or other intoxicating liquors in quantities not less than one quart; that is 150 dollars a year paid to the State. In cases of declared habitual drunkards, "the court so finding him may issue an order for the support of his family and the education of his children."

2902. *Dr. Lyon Playfair.*] An order upon the publican?—An order upon the public funds. I believe in the State of Iowa the law recognises specifically imported liquors, and allows liquors to be sold for mechanical and

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and medicinal purposes, as well as beer, cider, &c. Permission is granted to any citizen by the court to buy and sell "for mechanical, medical, culinary, and sacramental purposes." The fine for the first offence of selling liquors contrary to the law, is 100 dollars and 30 days' imprisonment; for the second offence, 200 dollars and 60 days' imprisonment; for the third offence, 200 dollars and 90 days' imprisonment. They have a peculiar section with regard to mixing liquors. One of the witnesses here a few days since spoke about persons taking beer, and then stronger alcoholic liquors afterwards. In the State of Iowa they have a law prohibiting the seller from mixing "any intoxicating liquor with beer, wine, or cider by him sold," which seems to allow that wine, beer, and cider are not intoxicating. But the law does not prevent the buyer from mixing. They have a punishment for drunkards who may be arrested without warrant, taken into custody till a complaint be made to a magistrate, and if found guilty, a fine is imposed of 10 dollars and costs, and imprisonment for 30 days. This penalty may be partly remitted by the magistrate, if the inebriate informs, under oath, from whom he obtained the liquor. Another provision of their law is this, that common carriers, as railroad conductors, express agents and depôt masters, or any employés as teamsters, and stage drivers, or any person whatsoever who shall convey into this State intoxicating liquors, shall be guilty of misdemeanor, and shall pay a fine of 30 dollars, and be imprisoned for 30 days for the first offence, and for subsequent offences 50 dollars and 90 days. Giving or selling intoxicating drink to an Indian in Iowa, or to any intoxicated person, may be punished by fine not exceeding 200 dollars, or imprisonment for one year, or both. Persons convicted of keeping a nuisance are liable to a fine not exceeding 1,000 dollars, and the business may be abated and the building destroyed. A drinking-house is declared a nuisance where there is disorderly conduct. Drunkards are classed in that State as vagrants, and may be required to give security for one year, or their services may be contracted for with any suitable person for not more than one year, or they may be kept in gaol for one year, and one-half the proceeds of their labour during such service or confinement may be paid to them on their discharge. The Legislature of Virginia has this year incorporated an institution for the restraint and cure of inebriates, but their law has nothing particular in it. In the State of Illinois the licensed holder is to give a bond of 3,000 dollars, with two freehold sureties agreeing to pay all damage which may accrue to person or property, or means of support, to any person, as a consequence of the sale of liquor, and to pay to any person who may take charge of a drunkard coming out of his place reasonable compensation for services, and two dollars in addition for every day such person may be under his care. An evasion of the law by any shift or device is deemed unlawful selling, and punished accordingly. Fines and damages are a lien upon the real estate of the persons selling. In New Hampshire they have a restrictive law. I have a note here from the governor of New Hampshire on this subject. He says, "I regret to say that in many places, especially in the cities and large towns, the law

is almost totally disregarded, liquors of all kinds being sold as freely as if there were no laws in existence relating to the same." So in Connecticut, the punishment of drunkards is a fine of 7 dollars and costs. I have a note from the governor of that State with reference to the prohibition. He says, "Wherever enforced it does diminish drunkenness, but public opinion is so loose that in many places, especially in the cities and larger towns, spirituous liquors are sold as freely as if there was no Statute making it a crime." With regard to Boston, I will read an extract from the police report: "In looking over the comparative table of crime, one fact presents itself to the mind with peculiar force, and that is the alarming increase in the number of arrests for drunkenness. Of the 400,000 arrests during the last 17 years, 225,000 were for drunkenness, besides some 28,000 helped home for drunkenness, to say nothing of the 23,000 assaults. But the most startling feature is the steady increase of intemperance compared with the increase of the population."

2903. *Chairman.*] There is one law to which you referred, that seemed to me to clash considerably with what I may call an organic law, the right of importation?—Yes, the law relating to common carriers.

2904. Is it not the fact that your supreme court of legislature is found to quash or override some of the laws of your State legislature?—Yes.

2905. It is one of the features of your system of jurisprudence?—Yes. Our legislatures in the States are a sort of outlet for the overflow of excitable public sentiment, and laws are often passed under pressure, and the supreme court either of the State or of the United States comes down with its law and testimony, and we are brought to order.

2906. *Sir H. Johnstone.*] The supreme court of the United States may over-rule any decision of the supreme legislature of your own State?—I think it can, but the complaint must come regularly; it cannot unless the Supreme Court of the State is appealed from to the Supreme Court of the United States.

2907. *Chairman.*] I think, except in the State of Massachusetts, your judges are all elected?—Yes, so far as I know.

2908. *Mr. Akroyd.*] You stated that in New Hampshire, Massachusetts, and Connecticut, where these laws were rather stringent, they were totally disregarded; you have mentioned the laws in the State of Iowa, which seem exceedingly stringent; I wish to ask you whether those stringent laws are as laxly enforced (or not enforced at all) in Iowa as they are in Massachusetts, New Hampshire, and other States?—I think not. I have a note from the Governor of Iowa, in which he speaks of the law in some of the rural districts of that State being well observed, but in the counties which border on the adjoining States, the law is not only not observed but it is defied. But the general impression throughout the State among the friends of temperance is that the law does good, not so much good, however, as they would desire to see. Then you must take into account that the people of Iowa, which is a large western prairie State, are farmers living in some cases at great distances, apart. The population is not such as are found in cities.

Dr. Parrish. 2909. So that generally speaking these laws are inoperative, except in certain localities, where public opinion, I presume, is in favour of a strict observation of temperance laws?—Yes. We have a law in all our States imposing a fine

upon every man for profane swearing; yet profane swearing is a national vice. The people who are not profane do not obtain from the vice, because of the Statute of the Legislature.

Dr. DANIEL G. DODGE, called in; and Examined.

Dr. Dodge. 2910. *Chairman.*] I BELIEVE you are a Physician, having charge of an institution called the New York State Inebriate Asylum at Binghamton?—Yes.

2911. Where is that asylum?—It is about two and a half miles from the city of Binghamton, a small city of some 15,000 inhabitants, in the county of Broome, in the State of New York, and it is about 200 miles west of the City of New York.

2912. What is the constitution of the institution?—It is a chartered institution; I have the bye-laws here.

2913. Dr. Parrish gave us a short sketch of its formation; I believe it was originally formed by private contribution and subscription?—Yes.

2914. And ultimately adopted by the State of New York?—Yes.

2915. What is its management?—It is under the control and management of a board of trustees, 15 in number, composed of gentlemen of high standing and ability, and well known in the State. They receive their appointment from the Governor of the State. The board is divided into three committees, with five members each. A committee on management and discipline, who meet monthly, and who have charge of all the internal affairs of the asylum; an executive committee, who meet as often as required, or as is necessary, and who have charge of construction and repairs, and all outside matters not appertaining to the two former committees are under the control of a finance committee.

2916. What is the size of the establishment?—The length of the front is 365 feet; width of transept, 72 feet; width of wings, 51 feet; the building is four storeys high. When completed it will be capable of holding 200 patients, giving a room for each patient. It is now capable of providing for about 80 patients, giving each person a room to himself.

2917. What is the date of the establishment?—It was opened for the reception of patients about nine years ago; I think in 1863.

2918. What is the sex of the inmates?—Males.

2919. Exclusively?—Exclusively.

2920. What is the present number?—Eighty. During the past winter the number exceeded 100, which crowded us very much.

2921. Then I gather that there is a certain portion of the establishment that has not yet been opened for the reception of patients?—One wing is not completed.

2922. How is this establishment supported?—During the past year it has been wholly supported by the receipts of the paying patients.

2923. Does it receive no subvention from the State?—It has not for the past two years.

2924. Prior to that, did it not receive sums of money from the State?—Prior to that, it received

for several years in succession from 100,000 dollars to 125,000 dollars a year.

2925. Then, when I stated in my evidence that a sum of about 40,000 dollars had been given to this establishment, I was considerably below the mark?—I think the State has appropriated in all about 600,000 dollars to the institution.

2926. Why was this subvention not continued?—It was cut off on account of a new excise law being passed by the Legislature two years ago.

2927. Then you now get nothing but the support obtained from the surplus of paying patients?—That is all.

2928. How much of the sum of money that was allocated annually by the State, was for the keeping up of the establishment and current expenses, and how much of it went for building purposes?—It was all expected to go for completing the buildings.

2929. Did it all go to that purpose?—It did not, because we had not enough to meet the current expenses of the establishment, and this appropriation helped to make up the deficiency every year, for several years.

2930. Have you any return by which you can tell the number of admissions from the commencement of the institution?—The whole number admitted from the commencement is about 1,100.

2931. Can you divide these in any way as to their character?—Yes; I wish to make a correction of a report that I made to you some time ago; I based that report in a great measure on my own judgment, I had not the precise facts to rely upon; since then I have studied the matter more, and I can give you a better estimate.

2932. Will you give us the benefit of your later experience?—The total number admitted from the commencement is about 1,100; voluntary patients about eleven-twelfths, making 1,009; committed, about one-twelfth, making 91. In my report I estimated the voluntary patients at 902 and the committed at 154; making my estimate now from the number I have received myself, I am satisfied that I put the number of committed patients too high; I had no facts to go upon but the number I had received, and I took it for granted that that would hold good throughout the whole. I now make the committed patients one-twelfth of the whole number instead of one-fifteenth.

2933. What is the social condition of your patients?—They are mainly from the upper and middle classes of society, mostly men of intelligence, culture, and education; cheerful, pleasant, and social gentlemen.

2934. Have you a return showing the average duration of the residence of the patients who have been in your establishment?—Yes; and here I wish to make another correction. The average residence of the patients under my charge, I judge to be about four months; some remain

remain only a few weeks, a large proportion remain three months, a goodly number continue six months, and a few remain one year, and even a longer period. In my report to you I gave as the average residence of the patients in the asylum, 100 days; on more careful examination I state the average time to be four months.

2935. Have you taken into your consideration the number of cures since the commencement?—Yes; and I desire to make a still further correction on this subject; I am unable to give any facts or figures as to the whole number of cures since the asylum was first opened for patients, but with regard to the past two years, during which I have had charge of the institution, I am of opinion that 40 per cent. of the whole number have been cured. I made that estimate about three weeks ago, previously to my being called before a committee of our State Legislature. The proportion of cures to the length of residence in the asylum is largely in favour of those who remain six months; the per-centage of cures in that class is largely in excess of the per-centage in the case of those who remain a shorter period of time. In my report I stated the cures to be 50 per cent. of the whole number; that was my opinion at the time, but in making an estimate of the number of cures out of the whole number admitted by me, I am convinced that they do not exceed 40 per cent. It is the duty of the secretary to learn the condition of the patients who have been discharged from time to time, more especially before making up our annual report, by any and all means in his power; that is the way that we get at the effects, but the information is often imperfect and unreliable.

2936. Then you are contented to put a man down as cured, merely because he leaves your care in a state of sobriety and reasonable health?—No.

2937. You follow him up afterwards and get the best information you can as to his state when he is once more exposed to the risks and temptations of society?—Yes; I may state that it is customary for a goodly number of these patients whom we claim to be cured, to write to us at stated times, without our writing to them, respecting their condition; with regard to those that we do not hear from, we write either direct to them or to their friends.

2938. Have you a Return of the number of those who have been admitted more than once?—Only the Return that I made to you some time ago.

2939. Do you abide by that report?—I do.

2940. That report states that the number admitted once, is 828?—Yes.

2941. The number admitted twice is 73, and the number admitted three times is 26?—Yes.

2942. When I asked you how the institution was supported, and referred to the assistance of the State, I did not quite understand how the alteration of the law upon this subject affects you, do you get any contribution from the licensing money of your State towards your asylum?—No. I may be permitted to go into a little explanation in regard to the appropriation that has been made to us, the source it came from, and the object to which it was applied. After the founder of the institution had expended 40,000 dollars or thereabouts, which he collected by private subscription, he commenced building; as a matter of course that was soon exhausted in

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an establishment of this size; then he went to our State Legislature, and made a proposition that he would give them a deed of the property in trust if they would make appropriations from year to year to complete the buildings, which they consented to do; and they passed a law giving 10 per cent. of all the excise moneys in the State for that purpose, which amounted to from 100,000 dollars to 125,000 dollars a year for some five years. Two years ago this organisation surrendered all its rights and title to the property, and passed it over to the State, who took charge of it; and by an Act of the Legislature power was given to the governor to appoint the board of trustees; that has made it exclusively a State institution, but no appropriations have been made since then to complete the buildings, or for the support of the patients. It is now classed like other charitable institutions in the State, and is under the same control and management as the other charitable institutions are.

2943. I believe you have been a member of the State Legislature yourself?—Yes, I was, one session.

2944. At the time you were a member of that Legislature was this appropriation question discussed?—It was not.

2945. What power of detention, if any, did you possess?—To answer that question I will call the attention of the Committee to page 44 of my Report: "Chapter 266 of the Laws of this State, passed 31 March 1865, entitled 'An Act for the Better Regulation and Discipline of the New York State Inebriate Asylum,' provides as follows: 'Any justice of the supreme court, or the county judge of the county in which any inebriate may reside, shall have power to commit such inebriate to the New York State Inebriate Asylum, upon the production and filing of an affidavit or affidavits, by two respectable practising physicians, and two respectable citizens, freeholders of such county, to the effect that such inebriate is lost to self-control, unable from such inebriation to attend to business, or is thereby dangerous to remain at large. But such commitment shall be only until the examination now provided by law shall have been held, and in no case for a longer period than one year.'"

2946. The courts have decided that in order to make such commitment legal, the party proceeded against must have notice of application for the warrant of commitment?—Yes. I may also mention that there is something preliminary to that law. Sections 8-9 of an Act entitled, "An Act to incorporate the United States Inebriate Asylum, for the Reformation of the Poor and Destitute Inebriate," are as follows: "Said institution shall have power to receive and retain all inebriates who enter said asylum either voluntarily, or by the order of the Committee of any habitual drunkard. All poor and destitute inebriates who are received into said asylum shall be employed in some useful occupation in or about the said asylum; said inebriates shall have all moneys accruing from their labour, after the expenses of their support in said asylum shall have been paid, which shall be sent to their families, monthly; if said inebriates have no families, it shall be paid to him or her at their discharge from said institution." (Section 9, chapter 184, 1857). Section 9. "The Committee of the person of any habitual drunkard, duly appointed under existing laws may, in his or their discretion

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2947. That applies solely to committed patients?—Solely to committed patients.

2948. You have no power of retaining a voluntary patient if he desires to go out in spite of your advice?—None, with the exception of what we assume.

2949. If you found a man wanting to go into town who you knew from your experience would come back drunk, you would have no power to stop him?—No power except manual force.

2950. I am speaking of a voluntary patient?—So am I. I have often locked up such a man who showed any disposition or determination to go away.

2951. Then you have the power?—I have taken the responsibility of doing it.

2952. But legally?—I have no power.

2953. If you exercise that power without having legal authority it is almost superfluous to ask whether you would desire to have the power granted legally?—I should much prefer to have it.

2954. And in the event of your having that power so as to prevent persons from going away too soon, you believe it would have a good practical result on the persons under your care?—Yes.

2955. You have no other inspection of your asylum than that which belongs to the board of directors or to the stated committees?—No.

2956. The State do not visit your asylum for the purpose of supervision, except through the medium of this committee?—It is the duty of the examiners of public charities to visit these institutions from time to time.

2957. They visit from time to time every charity and public institution of your State?—Yes.

2958. Therefore to that extent your institution is equally open to their inspection?—Yes.

2959. And supposing they found anything wrong going on, to whom have they the power of reporting?—I suppose to the Legislature of the State.

2960. The management of an establishment with 80 drunkards in it cannot be a very easy affair; what are the main difficulties with which you have to contend in the management?—One of the greatest difficulties is that we have not the power to detain these patients a sufficient length of time to give hopes of cure or permanent reformation; another is that we have not sufficient authority to enforce proper restraint; in other words, we have not an absolute power to enforce a strict obedience to the rules; it is imperative that these should be complied with as affording one of the principal remedies or measures in the treatment of these cases. It can all be summed up in one thing, the power to detain these men a sufficient time, because when we have power to detain them we have power to enforce the rules.

2961. Have you had any difficulty with regard to liquor being surreptitiously introduced into your establishment?—Yes; that is one of the greatest difficulties we have to contend against.

2962. Patients when they go out will bring liquor in with them?—Yes.

2963. Do the servants of your establishment create a traffic in drink?—I never had that trouble with the servants; the principal difficulty arises when you give the patients permission to visit town or to leave the grounds. If they become intoxicated they may get a bottle of something and bring it in with them; we seldom have any trouble with regard to smuggling liquors into the asylum in their sober moments, when they have not been drinking.

2964. Do you give these people the command of money?—No, we do not, unless they have been a sufficient length of time to obtain our confidence.

2965. How do they manage to get drink?—They manage to get drink by disregarding the rules, leaving the grounds and going into the town without permission.

2966. But if they have no money?—After they have been there a sufficient length of time, eight successive weeks, and have been obedient to all the rules, and shown an evident desire and disposition to change their course of life, that is one of the privileges we give them. If a patient of that kind comes to me and asks permission to go into town, and if he wants a little money to make some purchases with, I give it him.

2967. Please state your views, as a medical practitioner, on the subject of habitual drunkenness, pathologically considered, and how far those views are believed by you to be entertained by the medical profession of the United States?—My own view, and I think the medical practitioners of the United States are almost a unit in the same belief, is that drunkenness is a disease often remediable by medical and hygienic appliances. To obtain a correct understanding of our theory, which has been tested by several years of practical experiment, notably for eight years in the asylum at Binghampton, in the State of New York, it will be necessary to go somewhat into detail. We have to consider, in the first place, the nature of alcohol, and its effects upon the human system. These may be briefly stated as follows: Alcohol is a narcotico-irritant poison. It is the opposite of food, and there is nothing in the human system to which it corresponds, no natural want it can supply. Like other poisons, there may be cases in which it can be introduced to retard the ravages of disease, but it cannot in any sense be considered food. One of the ablest writers in America, Dr. Willard Parker, president of the Binghampton Asylum, in whose views on this subject I most fully concur, makes the following statement with respect to alcohol: "Its results are, first, to induce a diseased condition of the nerves, which is manifest by the general symptom, depraved appetite. In the second place, entering the circulation unchanged, it impairs the vitality of the blood. Thirdly, after alcohol has produced disease of the stomach and a depraved appetite, it next expends its force upon the neighbouring organs, inducing disease of the liver and dropsy, or Bright's disease, both of which are fatal to health, if not to life. The brain, also, although further from the stomach, is often diseased in function and, at a late period, in structure." These diseases, or some of them, form a constitutional taint, to become the sad inheritance of unborn generations as surely and widely as insanity, scrofula, or consumption. The inherited demand or appetite for alcoholic stimulants will also

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also be found to exhibit the erratic peculiarities of other diseases of inheritance; sometimes being handed down from parent to children in regular succession, sometimes overlooking individual members of the family, and sometimes lying dormant for one or two generations. Again, the development of the inherited disease will vary in form through all the degrees of idiocy to habitual and periodical drunkenness. In the institution for the treatment of idiots, near Boston, in the State of Massachusetts, Dr. Howe reports, that of the 300 under his care, 143 are the children of drunken parents. These views have been accepted by the medical profession in the United States for many years, as for instance, by Dr. J. W. Francis, who asserted the doctrine of the curability of inebriation in an essay, entitled "Bacchus," published some 30 years ago. Dr. Woodward, of the Worcester (Massachusetts) Insane Hospital, maintained the same theory in a series of essays, published in 1833; and, previous to either of these, 60 years ago, Dr. Rush, of Philadelphia, accounted for the phenomena of drunkenness as being the result of a morbid state of the will. Perhaps, however, the most convincing argument in favour of this view is to be found in the fact that, in 1857, before any practical results had been achieved by the success of inebriate asylums, 1,500 of the leading physicians in America sent an address to the Legislature of the State of New York, in which they stated their unanimous belief that "with this (an inebriate) institution we can save hundreds who are now crowding our insane asylums, flooding our courts, dying in our prisons, and perishing in our streets." It is important to keep in view that drunkenness is as often involuntary as voluntary; that the person afflicted with the tendency to it obeys "a law of his members" more potent than his will. The authority from whom I have already quoted, pertinently says upon this point, that there are appetites implanted in the system, and when wisely managed they help to keep the system in a healthful condition. They express themselves in hunger and thirst, while the craving of the system for alcohol, opium, hashish, &c., is the result of disease in the organism, more or less marked, depending upon the gravity of the lesion of nerve and tissue. The condition of the inebriate is abnormal; he is in a state of unrest throughout the whole system, and the urgency for relief is so great that the will has not the power to resist. What is denominated appetite, therefore, is a state of suffering dependent upon disease, as in colic or pleurisy, and the craving and demand for relief are beyond the power of the will. This view of the hereditary taint of inebriety is so important that a correct diagnosis of the disease is greatly aided by a knowledge of the family history of the patient. Peculiarities of mental endowment, of temperament, and of social surroundings, will, of course, have marked effects upon individuals, but for practical purposes inebriates may be classified as I. Hereditary inebriates; II. Periodical or confirmed drunkards from causes not hereditary; III. Incurables.

2968. Please define this classification?—Hereditary inebriates ought properly to be subdivided into two classes: first, periodical or intermittent inebriates; and, second, confirmed drunkards from inherited tendency. The former

comprises those who have inherited the tendency, predisposition, or craving for drink manifested by drunkenness, sometimes at fixed periods, and in other cases by irregular and intermittent paroxysms. The statistics of the Binghampton Asylum show that a large percentage of the patients received in that institution have had intemperate parents or ancestors. I find by referring to the record that out of 379, the whole number admitted during 20 months, 189 inherited the disease from intemperate parents or ancestors, and these men are nearly all periodical drinkers. This is the least hopeful class of our patients, but still a cure is possible, as I have often witnessed. Their paroxysms return again and again, but the force of them may be gradually diminished until, as the result of patience on the part of those under whose care they place themselves, and patience with themselves, the disease is at last extirpated; the body resumes its healthful functions, and the will exerts its normal activity. But still it must be remembered that it is a well-established fact, that of those who inherit the predisposition to alcoholism by far the largest proportion had a miserable existence, and few escape being afflicted with disease or physical deformity, and frequently both combined in one. The other class of hereditary inebriates, the habitual drunkards, I have found more susceptible of cure, but they require a long retirement from temptation. The second class embraces all who have become periodical or habitual drunkards by their own fault or weakness (I may truthfully add unconsciously), whose guilt, if it is more disastrous to themselves and to others, is still of the same kind as that of a glutton who reaps his punishment in the pains of indigestion or dyspepsia; the licentious man who endures nameless torments, and the ambitious or mercenary who, for fame or money, overtask the delicate tissue of the brain or starve themselves into physical exhaustion and premature old age. This class also includes all who, from a variety of causes not hereditary, create in themselves that propensity or craving for drink which, from being the minister of their pleasures, becomes a bitter taskmaster. It would include young men who, from the delusive idea that "life" is only to be seen in beer saloons, gambling houses, and brothels, enter upon a course of stimulation, which not only destroys their keen and moral perceptions, but plants in their physical systems the seeds of diseased appetites with the same deadly certainty that contagion propagates yellow fever or small-pox. Numerous additions to the multitude of sporadic drunkards, of habitual and periodical drunkards, who become such voluntarily, are furnished by men of lively temperaments, strong social tendencies, the "good fellows" so called, who pass by a rapid gradation from prosperity to poverty, and every year by thousands are swept into the vortex of habitual drunkenness, pitied, but never aided beyond the compassionate utterance of the common remark, "Poor fellow! he is nobody's enemy but his own." The stern facts of the moral census on both sides the Atlantic show with an overwhelmingly sad conclusiveness that the difference of sex does not form a boundary line between the victims of this form of inebriation; that the excessive strain of fashionable life, the tendency to look upon the maternal relation as a misfortune, on the one hand, and the

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established belief that alcohol is a necessary adjunct to the wash-tub in another grade of society, is spreading habitual drunkenness as a disease at a fearful and dangerous rate among women. There are also, as causes for the prevalence of this class of inebriates, conditions of temperament that vary with individuals to an extent to embarrass a general classification; as, for instance, misfortune in business, domestic unhappiness, over exertion of the mental and physical powers (especially the former), even a sudden and unexpected prosperity; any one of these causes may sweep the victim from an apparent place of safety into the lowest depths of drunkenness. Strange as it may seem, facts and experience show that the proportion of cures effected is larger in this class than in those of the hereditary inebriate. A large proportion of this class can be cured at an asylum, and the length of time necessary to effect the cure will depend upon the duration of the disease, and the amount of functional derangement, or organic lesion which exists. I have mentioned as the third general classification of inebriates those upon whom the disease is so fastened that all that can be done for them is to mitigate its evil effects upon themselves and upon society, by permanently removing them entirely from all temptation. I mean that there will always be found cases for which permanent restraint will be necessary. Generally this class is composed of young persons who are depraved in all their instincts, who possess low, brutish natures, made worse by willing persistent adherence to vice, and who do not desire either reformation or improvement. This class are not proper subjects for the ordinary asylum, but in my opinion should be provided with a place of security that will protect the community against their lawlessness and irresponsibility, and at the same time relieve the State of the burden of their support, in whole, or in part. Sometimes patients of this class are of another description, and of a finer constitutional and intellectual texture, in which the power of the will has become almost paralysed, but retains a small spark of vitality. The correspondence between this class, as regards habitual drunkenness and those of feeble mind, as relates to idiocy, is so marked, that while such almost miraculous results have been attained by judicious training of the former, although the latter are classed with the incurables, they cannot be said to be absolutely so.

2969. What have been the characteristics of the inebriates who have come under your own observation, and what have been the results of the treatment they have received?—Probably the best answer to this inquiry will be found in the last annual report of the New York Estate Inebriate Asylum, a copy of which I present to the Committee. By the report of the secretary, Mr. Carroll Hyde, it appears during 1871 that there were 315 patients under treatment, of which number 244 were admitted during the year. Of patients discharged there were 230, out of which number 184 left with great hopes of permanent reformation or improvement, and only 46 showed no evidence of improvement. Some of these latter, it may be observed, were under treatment a short time. No more striking evidence could be furnished of the fact that the disease of inebriation is most to be dreaded by the intelligent classes than is contained in the

statement that there was not a single illiterate person in the 244; their educational acquirements being thus classified: received common school education, 105; academical, 90; and collegiate, 48. The temperaments seem to be pretty evenly balanced, as there were nervous, 81; sanguine, 77; bilious, 86. As to habits, 172 were in the habit of drinking before meals; 125 had intemperate ancestors; 81 ascribed their intemperate habits to serious affliction or misfortune in business. The constant or habitual drinkers numbered 147, and 97 were afflicted with periodical attacks.

2970. Are you in possession of any statistics showing an approximate proportion of hereditary inebriates to the class of habitual drunkards from causes originating with themselves?—Out of 360 patients admitted into the Binghampton Asylum, I find that 42 stated that they were the offspring of intemperate parents, representing one in eight; 36 had intemperate fathers, being one in 10; six had intemperate mothers, or one in 60; nine had intemperate brothers or sisters, or one in 40; 66 had intemperate ancestors, exclusive of parents; and of these 36 were on the paternal side, or one in 10; while 30 were on the maternal side, or one in 12. From this exhibit it appears that out of a total of 360 patients, the hereditary taint, immediate or remote, existed in 159 cases, being nearly 50 per cent.

2971. At what period of life do your patients appear to present the largest average of improvement or cure?—Between the ages of 30 and 45 years. Very young persons do not seem to be so deeply impressed with the necessity for reformation, and hence one of the prime elements of cure, the co-operation of the desire of the patient, is generally lacking. They have not the conviction either that their whole future must be decided by the use they make of a few years of life, which often adds its impressiveness to the reflections of a man in middle life. Then again, after 45 years of age, an inebriate has generally so far exhausted his vital powers that while the desire for a cure may remain with him, the physical results of his previous course of life have destroyed the recuperative powers, so that while a cure is not impossible, it is more reasonable to hope only for an amelioration of his condition.

2972. What do you call "very young" for an inebriate?—From 18 to 25; I have received them as young as 18. I refer to that class from 18 to 25, or 28, or possibly up to 30.

2973. What are the methods of treatment pursued in the asylum of which you are superintendent and physician?—Nearly all patients on their admission require medical treatment; stimulant, sedative, and narcotic remedies are usually administered at the outset, followed by alterative medicines to improve and correct the secretions, after which tonics, both vegetable and mineral, are given, calculated to add tone and strength to the system. When we have organic diseases, appropriate remedies adapted to each particular case are administered to relieve and assist nature in removing the same. Outside of these functional and organic difficulties very little medical treatment is demanded or required. Our main reliance is upon sanitary measures, remedial rather than medicinal, and essential to improve and invigorate the physical organisation, and, as a result, adding strength in the same ratio to the mental faculties, thus enabling the patient

patient in future to assert and maintain his self-respect and self-control. As soon as our patient is convalescent, but little, if any, medicine is given, and our main reliance is placed upon the following sanitary and hygienic measures: restraint from business and the busy scenes of every-day life; quiet, reading, writing, pure air, well-ventilated rooms, good nourishing diet, regular hours for meals, rising, and retiring, proper physical exercise, such as out-door games, walking, and such mechanical employment as taste and inclination may dictate and opportunity afford. These measures are strongly recommended and urged upon all as conducive to a healthful condition of mind and body, assisting materially in breaking up former habits and associations, driving from the mind those old companions of an intemperate life, forming new thoughts, new ideas, and new and better habits, necessitating a new life in every respect; a radical change, and finally convincing all reasonable men who have been addicted to the excessive use of strong drinks that stimulants are not only useless but absolutely injurious. We have no specific with which to destroy the craving appetite for alcoholic stimulants, whether acquired by the voluntary act of the subject or handed down as an hereditary disease and curse; remedial agents and medicinal remedies alone are powerless to eradicate a habit that has by practice and education become a part of one's very existence and organisation. There is one remedy, and one only, that will remove the habit and make a recovery as complete and permanent as it is possible for science or ingenuity to devise. It is a physiological fact that when a habit has been formed or contracted, an absolute removal of the agent that produced the habit is necessary in order that a new state of things may become possible. Place before a patient a liberal supply of tempting and nutritious food, and ask him to starve himself to death; nature is stronger than the will; it is an impossibility. Place alcohol before him, and ask an inebriate to cure himself gradually; it is equally an impossibility. The fact that the excessive and long-continued use of alcoholic drinks has caused a complete change, a different organisation physically and mentally is the strongest evidence that its entire absence is absolutely necessary in order to allow the new and morbid state gradually to disappear, and finally effect a return to the old or former normal condition; and we endeavour to teach these men by argument, precept, and example, that total abstinence is the only safe and sure road to manhood, honour, and usefulness, health, prosperity, and happiness, and make the men themselves living examples of our theory and practice, a living all-convincing proof that they can gain by total abstinence, and by that only, not the power to drink moderately with the least safety, but the power never to indulge at all; and this self-restraint is a remedial agent from the moment the patient enters the institution, growing stronger and more effective day by day, until finally he finds total abstinence not only possible but permanently successful in the future; these same truths apply equally to the treatment of the opium habit; this has been made a specialty at the asylum with the most marked and gratifying results. This (the opium habit) is even more deplorable in its consequences than the excessive use of alcoholic stimulants. The only

real restraints we now have upon patients (except those who are actually committed by order of the courts) is their word of honour and written bond or agreement to remain a specified time, adhering to certain written rules, unless for good cause the same is revoked by relations or friends; and in the case of committed patients the same must be revoked by a written release, signed by the judge who may have issued the order of commitment.

2974. Then those who set forth that they are in possession of a specific remedy for the cure of drunkenness are, to term them shortly, quacks? —Quacks, in my opinion.

2975. What are the rules governing patients? —On entering the institution the patient is informed that all persons, on becoming inmates, are understood to bind themselves to observe and obey the bye-laws and rules governing the internal affairs of the asylum. Any deliberate violation of them is considered good cause for removal from the institution. I may remark here that only those who are connected with institutions of this kind can know how degrading it is to an inebriate to be expelled; it seems to them beyond anything else that could happen. I am sure Dr. Parrish would bear me out in this. If an inebriate is dismissed from the asylum, it seems as if there were no place on earth for him. That is one of the best kind of restraints that we have over this class of men. No patient is received for a less period than three months, nor, in the first instance, for a longer term than one year. In order that the benefit to the patient may be permanent, the superintendent and physician, upon a full examination of each case, determines the length of time for which the patient will be received. Any inebriate having a permanent home within the State, whose circumstances render it necessary, may be admitted to a free bed at the discretion of the committee on management and discipline. If a free bed is applied for, the applicant or his friends must give satisfactory proof of the inability of the applicant or his family to remunerate the institution for his support during his stay therein. And, in addition to such proof, the applicant must furnish the certificate of the county judge of the county wherein he resides; and, if a resident of the city of New York, of the mayor of that city, that he is a proper person to be received into the said institution as a free patient. That is simply that we may not be imposed upon; all other persons are charged according to rooms, attendance, and accommodation furnished them, taking into consideration their ability to pay. For the internal government of the institution the following rules are prescribed by the board of trustees: Rule 1. All persons entering the institution are expected to remain at least three months, and are required to pay (the highest price is 20 dollars per week) for their board, medical attendance, and other accommodations. These requirements can be modified only by the special action of the committee on management and discipline. 2. Patients are expected to be prompt in their attendance at meals and upon the religious exercises of the institution; they are required also to retire to their rooms by 10 o'clock in the evening, and their lights must be extinguished by half-past 10. 3. No patient is allowed to use spirituous or fermented liquors, and the use of tobacco is decidedly disapproved. Smoking within the building is allowed only in

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2976. What is the expense to paying patients of treatment; what proportion are free patients, and what relation does the total expenditure bear to the income derived from paying patients? —I must again refer to the report of the Binghamton Asylum, by which it will be seen (on page 27) that the total expenditure for 1871, amounted to 38,929-83 dollars, while the income from paying patients was 40,968-85 dollars, leaving a surplus of receipts over expenditure of 2,039-42 dollars. The following shows the different classes as to pecuniary resources of patients under treatment in the asylum during the last year: 30 per cent. at the rate of 20 dollars per week; 25 per cent. at the rate of 15 dollars per week; 25 per cent. at the rate of 5 to 10 dollars per week; 20 per cent. free; or, on the basis of the standing rate, 20 dollars per week, would give 59 per cent. paying patients; 41 per cent. free.

2977. Have you carefully examined the proposed Act of Parliament entitled the Habitual

Drunkards Act; if so, will you please give your opinion upon its provisions, or any of them that your experience may suggest as defective? —I have given a careful examination to the proposed Bill, and have been greatly impressed with the carefulness and practicability of its provisions. For a class of society unhappily large in all countries, the lower classes, I consider the provisions contained in the sections from the 12th to the 16th inclusive, as embodying much needed legislation, and as offering the only hopeful solution of a difficulty which is the fruitful source of poverty, crime, and hence necessarily burdensome taxation. The cost of restraining and furnishing employment for this class of drunkards will, I am confident, be more than compensated for by the reduction of the expenses caused by their arrest and confinement under the present mode, and above all by the poor-rate, which is so largely increased by the maintenance of those who are made paupers through the intoxication of husbands and parents. If the Committee will permit, I should like to make a suggestion in reference to the practical working of section 3 of the proposed Bill: I think it will be found in practice that small sanitariums or reformatories controlled and managed by individuals, will not prove as successful or useful as larger institutions under national or county auspices. I am not only willing but anxious to concede that all establishments of this character, both public and private, are beneficial in their purpose, and are generally successful in their management; but from my experience, and all I have been able to see and learn of public and private inebriate asylums, I am decidedly in favour of the former.

2978. In that respect you differ from your colleague who was rather in favour of the home system?—I am sorry to say that we differ somewhat in that respect.

2979. Have you formed any opinion as to the best method of establishing reformatories for inebriates, in addition to what you have stated to the Committee?—My experience has led me to favour the establishment of large asylums, either founded, endowed, and controlled by the State, or if founded, endowed, and supported by voluntary contributions, still so far controlled by the State as to give them permanency and national or State prestige. The reasons in favour of large institutions may be briefly stated as growing out of greater economy of management in rent, fuel, and expenses of all kinds; the advantage of numbers in favour of cure; the sympathy and co-operation of patients; the larger facilities and adjuncts in the matter of libraries, reading-rooms, baths, gymnasiums, literary clubs and religious services, &c. &c. Looking upon the progress that has been made by public sentiment in this matter during the last 10 or 15 years, I am led to hope that the day is not far distant when, both in England and the United States, institutions will be established and maintained at the public cost (or rather the public saving), which will be grouped and graded in something like the following order. First, asylums for those whose means enable them to pay liberally with provisions for the reception of patients of intelligence and culture at reduced or merely nominal rates. I refer to the following provisions in the Binghamton Asylum Rules. At a meeting of the trustees of the New York State Inebriate Asylum held in the city of Binghamton,

hamton, 26th October 1868, the following resolution was passed: "Resolved, hereafter the price of admission to the asylum shall be 20 dollars per week, with payment of three months in advance, which will include all charges for ordinary care and attendance, but the committee on management and discipline may reduce the price upon a presentation of the facts upon which a moderation is requested." Second, asylums for the poorer and less intelligent the mechanical and labouring classes where work will be provided, the proceeds of which will pay expenses and leave a surplus. Third, asylums for incurables, where they may be kept from the contagion (if I may be permitted to use the term) of drunkenness, and also become productive members of society, instead of being burdens on the tax payers. Fourth, separate institution of each class for the sexes. I believe, too, that the views of society, guided by the convictions of medical science, will be enlarged to a conception of the truth that a voluntary application of an inebriate for admission into one of those institutions, instead of being a cause of mortification on the part of himself and his friends, will be regarded as the one eminently respectable action of his life; that in view of the undeniable existence of the fact of a tendency, hereditary or otherwise, to inebriation, there is no more social disgrace in seeking a cure for this malady than there is in being carried to a hospital as a result of a limb being broken by an accident in the street.

2980. Among the subjects upon which you have touched, you referred to alcohol as a poison; do you mean in its excessive use, or in its absolute constitution?—I mean in its excessive use.

2981. Do you use alcohol in some shape or another as a medicine in the treatment of your cases when they first come in?—Occasionally.

2982. But never in a dietetic form?—No, never.

2983. You used an expression which I did not quite understand, "drinking before meals;" I do not know whether that is especially an American custom?—I think it is especially American from what I have been able to learn. The drinking class of Americans are very much in the habit of taking what they call their drink, or cocktail, or bitters, before meals.

2984. Before every meal?—Before every meal.

2985. Does a man take a cocktail before breakfast?—Yes. Many inebriates take 10 or 15 of them before they can eat any breakfast. Many men that come to us are in the habit of taking four or five before, as they say they can make one "stick;" and then they will take half a dozen or more before they can think of eating anything.

2986. Would you give us the daily programme of one of those men?—Take the case of one of this class, who has been drinking for eight or 10 or 12 years; perhaps for the last five or six years he has been an excessive drinker; that man will get up in the morning, and want his bitters before he can think of eating anything. In the first instance these men will throw up three or four before one will stay, owing to the irritable condition of the stomach, but then when one drink stays they are all right, and they will go on drinking a number, and after a proper length of time will eat a hearty breakfast; then

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they will go on drinking all the day, not so often until late at night, so that when they turn into bed they feel as they term it "full," completely saturated; they sleep tolerably well, being completely narcotised with alcohol; then he gets up in the morning and pursues the same round.

2987. Then 20 or 25 drinks a day is not an impossible quantity for one of these persons to swallow?—You may say 10 or 20 drinks.

2988. Mr. *Miller*.] What would be the quantity each time?—Probably about three ounces. I would say that the quantity is from half a pint to two quarts a day.

2989. Of spirits?—Yes.

2990. *Chairman*.] How much at each drink?—From one glass to a gill.

2991. A gill is four ounces?—Yes, half a pint of spirits on one man will perhaps produce as great an effect as a gallon would upon another. I have known many instances where they drunk a gallon a day.

2992. Have you had any acquaintance with the lower orders of inebriates?—Nothing more than I have seen in the practice of my profession previously.

2993. You never had them in charge as superintendent of an asylum?—No; we seldom have subjects of that kind admitted to our asylum.

2994. Are you able to form any opinion as to the possibility of putting them to work, and making their work partially remunerative?—I think it would be very difficult with the class of patients that I have under my charge.

2995. I believe your immediate predecessor was Dr. Day?—Yes.

2996. In what way did his method of managing his patients differ from yours?—I do not know that it differed materially. I think that his discipline was not quite as strict as it has been since. I do not like to say so, because it seems a little boastful.

2997. Did he not give leave to his patients to go out more freely than you have done?—Yes; and I have been told that it was a common occurrence for them to be intoxicated. I would not say Dr. Day's method of treatment was not quite as successful as my own. Am of opinion it was with the better class of patients. Keeping a more strict watch over the careless and indifferent class has a great tendency to prevent intoxication.

2998. The system of eight weeks' trial was of your adoption?—Yes.

2999. The charge brought against Dr. Day's treatment was that a great many of his patients went out and came back the worse for liquor, owing to the facilities that were given for their going out before they had had a trial?—It would appear so. I only judge from what I have heard.

3000. Have you had many of Dr. Day's patients come back to you at Binghamton?—Yes, a considerable number.

3001. From what you learn from them is it your impression that they were allowed their liberty too early, before they were fairly tried?—That has been their report.

3002. I learn from your statement that in the ultimate event you have no resource but that of expulsion for your voluntary patients?—That is all.

3003. Have you ever expelled a patient and had

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Dr. Dodge. had him back again?—Yes, I have had two or three instances of that kind.

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3005. Have you paid any attention to the question of the treatment of inebriety as an offence now adopted in the United States; I mean by the five-dollar fine and imprisonment; do you think it has had any effect in diminishing drunkenness?—I think it has not.

3006. You know of persons coming up before the magistrates again and again to be fined and convicted?—Yes.

3007. Are you acquainted with the working of the asylum at Ward's Island?—I only know of it by report.

3008. The patients committed there are the old gaol birds that have appeared before the magistrates again and again for drunkenness?—I expect that is the class of men principally.

3009. You do not, in America, commit a person to an inebriate asylum early in the course of his career?—No.

3010. And that will account, to a considerable extent, for the fact that voluntary patients furnish a larger proportion of cures than committed patients?—Yes.

3011. Mr. Wharton.] In the case of a committed patient, do you attempt to make him pay for the cost of his maintenance by any manual labour?—Nothing of the kind, unless he happens to be a labouring man, and desires to work.

3012. Supposing you had a shoemaker, would you allow him to work at his trade, so as to earn a portion of the cost of his maintenance?—We should allow him to work at his trade. Anything he may earn is placed to his credit, for his personal use.

3013. And partly for his maintenance?—Not if he is a free patient.

3014. It is given to him when he goes out of the asylum?—Yes.

3015. Do you know whether they have remunerative labour in the asylum at Ward's Island?—I think they do not.

3016. What is your opinion with reference to it; do you think it would be an improvement?—I think it would.

3017. Would you recommend that in such institutions as that patients should be employed in remunerative labour rather than kept in confinement without such employment?—I would for that class of people who are accustomed to work, and who are accounted incurables.

3018. The inmates of the asylum at Ward's Island are chiefly from the working classes?—They are of all classes; soldiers, sailors, and gentlemen. Most of them, I think, go there for a few days to get over a debauch, or a "spree," as we term it. Some remain a longer period. The inmates are classified; those who are in the higher walks of life are separated from those in the lower. They do not eat in the same room, or at the same table. They have gradation tables from the higher to the lower. But they

cannot walk about the island, or about the buildings, without coming into contact with one another, which makes it very disagreeable and unpleasant.

3019. Mr. Akroyd.] I observe, that in your annual report, p. 44, you quote chapter 266 of the Laws of the State, which states in section 4, "Any justice of the supreme court, or county judge of the county in which any inebriate may reside, shall have power to commit such inebriate to the New York State Inebriate Asylum upon the production and filing of an affidavit, or affidavits by two respectable practising physicians, and two respectable citizens, to the effect that such inebriate is lost to self-control." You have given us a list of your patients, but it does not include any committed patients?—They are not reported.

3020. How many committed patients have you out of the total number?—About 1-12th of the whole number, but that does not appear in the report.

3021. Then you do not distinguish them?—No; we do not have it appear in the report that there are any committed patients.

3022. But there are a certain number all the time?—Yes.

3023. In 1871 how many had you?—Three or four; five or six at different times. We are seldom without them.

3024. Is Ward's Island in the State of New York?—Yes, but the asylum is a city affair wholly.

3025. It is for the same class as yours, but it is for the city only?—Yes.

3026. It would appear that the great bulk of your inmates are persons who pay about 20 dollars a week for their maintenance?—Yes, about 30 per cent.

3027. There appears to be but slight attention paid to what we should call in this country industrial employment?—Very little indeed.

3028. I observe that you have a large farm and garden in connection with your institution, from which you derive farm and garden produce?—Yes.

3029. Suppose it were desirable for sanitary reasons that your inmates should engage in outdoor labour, you would have great advantages in being able to give them farm and garden work?—Yes.

3030. I observe in your classification no less than 45 merchants, and 29 clerks?—Yes.

3031. Then I presume the bulk of your inmates are from the middle class, and very few from the industrial class?—Very few.

3032. And that accounts for the fact that you have so little industrial employment in connection with your institution?—Yes.

3033. I suppose something depends upon the habits of the people; in this country gentlemen are accustomed to out-door occupation of various kinds, but that is not the case in the United States?—It is not.

3034. Your opinion rather differed from that of Dr. Parrish; you are in favour of large county asylums, something like that at Binghamton, I suppose?—Yes.

3035. Has your attention ever been called to the reformatory schools in Europe, as well as those which you have in the United States?—Very little. I have not paid attention to that subject.

3036. You

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3036. You are not aware that there is a large reformatory at Mettray, sub-divided into family groups; separate hamlets forming one village?—I am aware that there is such an institution.

3037. If some such arrangement as that could be applied to these inebriate asylums, it would have the double advantage of one management and family grouping?—It would certainly; that is for the lower or labouring classes.

3038. Sir *H. Johnstone*.] Have you never had an action brought in those cases of detention where you have been obliged to use a little gentle violence to keep the patients from going away?—No.

3039. Has an action never been threatened?—It has been threatened sometimes.

3040. But never brought?—Never brought.

3041. I suppose when patients are restored and brought into a healthy condition, they require a great deal of animal food?—Very great indeed; they are large eaters.

3042. Do you find that the ease during the whole time they are there, or does the desire for animal food diminish?—It diminishes after they become restored physically and mentally.

3043. It is a craving, I suppose, when they are in a low physical condition?—Yes, they are very emaciated and feeble, most of them.

3044. Is there every facility for getting drink in your country; innumerable bars, hotels and public houses?—Yes.

3045. Can anybody open a bar?—It is controlled by the excise law to a certain extent.

3046. There is no limitation?—No; unless it is prohibited absolutely.

3047. Can you tell the Committee from your own experience whether prohibition has been found effectual?—I think every excise law that I ever saw in operation has been very defective indeed in that respect.

3048. It is constantly evaded?—Constantly evaded.

3049. Is it a common opinion in the States that the permissive prohibitory law has become a farce?—It fails to be effectual, not a farce.

3050. You mix at times a great deal with temperance reformers?—Yes.

3051. Is that the view you entertain after hearing what they have to say?—That is my view of the case, and always has been.

3052. Is it corroborated by that of your friends?—Yes.

3053. With regard to these free patients, what makes them free?—Their inability to pay, and the fact of the asylum being a State institution.

3054. Who ascertains their inability to pay; is it taken on their own statement, or the voucher of somebody who knows their circumstances?—It has to be taken on the statement of other persons. If a free bed is applied for the applicant must give satisfactory proof that he is a suitable person to become a free patient.

3055. Does the cost of maintenance come out of the receipts derived from other patients?—Yes, necessarily, now that we have no receipts from any other quarter.

3056. You have no tax to supply any deficiency?—No; the State formerly appropriated part of the State funds to that purpose.

3057. Have you any reasonable hope of getting that renewed?—Yes.

3058. Mr. *Birley*.] You have given an in-

teresting and startling account of these inebriates before they are admitted into the asylum; can you tell us if they are in all cases drinkers of spirits, or have you cases in which they have been accustomed to drink beer?—I do not think I have seen three cases during the last two years in which the patients have come to us in consequence of the habit of drinking ale or beer.

3059. They seldom come under the class of "inebriates"?—Seldom.

3060. Can you tell me whether these men follow their accustomed occupation whilst they are drinking at this rate?—They can do nothing without it.

3061. You mean, they require stimulants?—They require stimulants to keep them up.

3062. With stimulants they are able to keep in society and pursue their worldly affairs?—Yes, to a certain extent.

3063. How do you treat them in regard to diet?—It is possible that we may be obliged to give such a man from one to two ounces of spirits twice or three times a day; if possible, we give him less, or none at all; if we can give medicines that will answer the purpose as well, we do so.

3064. Sometimes it is necessary to administer a large quantity, I suppose?—Sometimes; we seldom exceed six or eight ounces in the 24 hours.

3065. Do these inebriates in the Asylum live in harmony with one another, or are they liable to outbreaks of violence or quarrels among them?—We never have any outbreaks of violence or quarrels.

3066. They are generally subdued?—Yes; they are companionable, social, friendly, sympathising with one another.

3067. Colonel *Brise*.] Are they ill-tempered sometimes?—Occasionally.

3068. But that is the exception rather than the rule?—Yes.

3069. Mr. *Birley*.] In your opinion drunkenness should rather be treated as a disease than as a crime?—Yes.

3070. Is that view predominant among the medical faculty in the United States?—Yes, that is my opinion.

3071. It is a prevalent opinion?—Yes; I mean in regard to the class of persons that resort to these asylums for reformation and cure. We do not class an ordinary drinking man with this class of men.

3072. An ordinary drinking man you look upon as vicious?—To a certain extent we do. We make a great distinction between the two classes. One man, when he has taken one drink, loses the power to control himself in that direction; another man can take several, and be able to stop. But we cannot for the life of us tell why it is that because a man has taken one drink he must go on until he is saturated with it, without any power to stop. We look upon that man as actually diseased with alcohol, and only that class.

3073. Colonel *Brise*.] When the State gave assistance to your establishment, what control, if any, did it exercise over the management?—Not any.

3074. It did not interfere in any way?—No; it simply appropriated the money, and allowed this incorporated body to control everything, to expend

Dr. Dodge. expend the money, and manage all the affairs of the institution.

7 May 1872. 3075. You told us that you have had from the commencement 1,100 patients, of whom 91 have been committed; can you give us the per-centage of cures among the committed patients?—I cannot.

3076. Your experience has been gathered, I understand, from the upper and middle classes; you have had very little experience of drunkenness in the lower classes of society?—Very little indeed.

3077. I think you said that the prime elements of cure are the co-operation and sympathy of patients with each other?—Yes.

3078. In the case of committed drunkards

there would be a total absence, would there not, of that sympathy and co-operation which you speak so highly of in your establishment?—Not necessarily. Our committed patients are as likely to be intelligent educated men as the other class; it is only through their drinking that they are opposed to going to a place of this kind, and desire to persist in their course; when they come to the asylum, they find themselves with gentlemen; they get tolerably free from alcoholic influence; they seem to accept the situation, and become gentlemen with the others. I have often seen these men go away with as great a hope of improvement and cure as the better class of voluntary patients.

Friday, 10th May 1872.

MEMBERS PRESENT:

Mr. Akroyd.
Mr. Downing.
Mr. William Henry Gladstone.

Sir Harcourt Johnstone.
Mr. Miller.
Major Walker.

DONALD DALRYMPLE, Esq., IN THE CHAIR.

Dr. DANIEL G. DODGE, further Examined.

3079. *Chairman.*] You mentioned that at the asylum in Ward's Island the labour was not remunerative?—I have no knowledge that it is remunerative.

3080. You are not aware, perhaps, that all the labour of the establishment is done by the committed patients?—No, I have no knowledge of that.

3081. In your institution, do you find that the society of the committed patients is unpalatable to the voluntary patients?—I do not.

3082. You have never heard any complaint that the paying patients are taxed for the support of the non-paying patients?—I have heard that complaint.

3083. But you do not consider that the association of the committed with the paying patients produces any ill effect in the management of the institution?—Not in the slightest. When patients are committed, the fact is kept from the knowledge of the other patients. All our financial matters, the sums that the patients pay per week, are kept secret with the officers of the institution.

3084. You have said in your evidence that these habitual drinkers will take from ten to twenty drinks in a day. Do you mean that that is about the average quantity they take?—I would take those as the extremes. The number is seldom less than ten, and seldom more than twenty.

3085. *Mr. Miller.*] Have you any idea of the average?—I should say very nearly, if not quite, a quart a day.

3086. Of spirits?—Yes, or probably three half pints would be nearer the truth.

3087. Your quart is the same as ours?—Yes, I suppose so.

3088. *Chairman.*] You spoke also of the consumption of beer. It is lager beer that is generally consumed, is it not?—No, generally common ale.

3089. Which is stronger than lager?—I think it is. There are very few Americans, I think, that drink lager beer.

3090. I suppose it is consumed by German emigrants; by the non-native population?—I think so.

3091. What, in your opinion, should be the end and object of inebriate asylums?—In my opinion the sole end and object of the establishment of inebriate asylums is the perfect and permanent cure of inebriety, or, at the least, the present, with the expectation of a perpetual removal of the cause of inebriety.

0.73.

3092. What is the commonly received opinion in your country in regard to inebriety?—The commonly received opinion among the people is that inebriety is merely an acquired habit, the reformation of which only depends upon its discontinuance by the voluntary act of the unfortunate subject himself.

3093. Is that your view of the subject?—It is not.

3094. What is your view?—Undoubtedly this view of the matter is true in regard to a few exceptional cases, but as a general rule inebriates, as a class, are afflicted with what is now recognised as a positive disease, which they, unaided, are powerless to remove. I am confident every member of this Committee would be of the same opinion if he had been unfortunate enough to have a relative or friend who was a confirmed inebriate; in other words, could he know from actual observation the true condition of these men, I am positive, in my own mind, you all would be strong advocates for inebriate asylums in this country, and all others where the inebriate is found.

3095. Passing from the moral to the physical part of the subject, what is your opinion with regard to functional derangement in the case of an inebriate, and why is he so powerless to effect his own cure and reformation?—With the excessive use of alcohol, functional disorder will invariably appear, and no organ will be more seriously affected, and possibly impaired, than the brain. This is shown in the inebriate by a weakened intellect, a general debility of the mental faculties, a partial or a total loss of self-respect, and a departure of the power of self-command, all of which, acting together, place the victim at the mercy of a depraved and morbid appetite, and make him utterly powerless, by his own unaided efforts, to secure his recovery from the disease which is destroying him.

3096. Are you of opinion that there is any similarity or connection between inebriety and insanity?—I am of opinion that there is a great similarity between inebriety and insanity. I am decidedly of opinion the former has taken its place in the family of diseases as prominently as its twin-brother insanity; and in my opinion, the day is not far distant when the pathology of the former will be as fully understood and as successfully treated as that of the latter, and even more successfully, since it is more within the reach and bounds of human control, which, wisely exercised

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cised and scientifically administered, may prevent curable inebriety from verging into possibly incurable insanity. The two diseases are indeed closely connected, both in their manifestations and results, and to a certain extent in the means to be used for their removal and cure. I look upon inebriety as temporary insanity. In addition, I am informed by reliable and trustworthy authority in all that pertains to the New York State Charitable Institution, that of the whole number of patients treated in her insane asylums, the proportion of completely cured is only from 35 to 40 per cent. That includes the acute and chronic cases. With such facts, considering the limited time during which inebriety has been considered and treated as a mental and physical disease, together with the brief experience of professional men in the management and treatment of the same, I think I am warranted in claiming for inebriate asylums in our country a favourable comparison with our sister asylums that have made the treatment of insanity a specialty. When the public or people come to fully understand and appreciate the true condition of the inebriate, that he has not the ability or power to rid himself of a deplorable habit, that he is lost to self-respect and self-control, that when he takes one glass it is impossible for him to stop; when the people see all that, I cannot imagine or think they will hesitate about coming to his relief, by providing suitable asylums where he may obtain a cure and reformation.

3097. Do you desire to add anything to the evidence which you gave to the Committee at its last meeting?—There are one or two corrections that I desire to make. I referred, on the last occasion, to chapter 266 of the laws of the State of New York, intituled, “An Act for the better Regulation and Discipline of the New York State Inebriate Asylum,” and also to sections 8 and 9 of an Act, intituled, “An Act to incorporate the United States Asylum for the Reformation of Poor and Destitute Inebriates.” Section 8 states “The said institution shall have power to receive and retain all inebriates who enter the said asylum either voluntarily or by the order of the committee of any habitual drunkard.” We have known that to be the law, but it has been a question with us whether we could, under this section, retain those who came voluntarily to us. There has been a great question about the constitutionality of such a law giving power to retain a man who came to us voluntarily, and for that reason the law has been, to a great extent, a dead letter. I wish to make that addition to my evidence.

3098. You appear to have the law as far as the letter goes, but in point of fact you do not act upon it?—We do not act upon it. I refer you to another Act, which declares, “The Board of Trustees of the New York State Inebriate Asylum are hereby authorised to appoint two or more of the attendants and employés of said asylum as policemen, whose duty it shall be, under the order of the superintendent or assistant superintendents, to arrest and return to the asylum such inebriates who have been sent to the asylum by order of the Court, and who have escaped from the asylum, or to arrest any patient who shall violate any law of the asylum.” I know that that was attempted in some instances before I went there, but I have never had occasion to do anything of the kind, to arrest a patient by a new process of law.

3099. Are you aware of the Habeas Corpus ever having been sued out?—I think there was an instance of that kind several years ago, under Dr. Turner, the founder of the institution. That would seem to do away with the constitutionality of the law.

3100. You appear to doubt the constitutionality of the law; how is it that you do not appear to have tested it by any legal process?—I am unable to say.

3101. Is there any other statement you desire to make?—I wish to make a correction with regard to the amount paid for maintenance. I was asked if the bulk of the inmates were persons who paid \$20 a-week for maintenance, and I replied “yes.” It will appear from the report that 30 per cent. pay \$20 a-week, 25 per cent. \$15 per week, 25 per cent. from \$5 to \$10, and 20 per cent. are free. I was also asked whether it was a common opinion in the United States that the permissive prohibitory law has become a farce, and I answered in the affirmative. I did not quite understand the question; I thought I was asked whether it was a failure. If that were the question, I should say the law fails to be effectual.

3102. Mr. Miller.] You do not adopt the word “farce”?—No; what I mean is, that it does not effect what the law proposes to do.

3103. Has it the effect of moving onwards towards that point?—I think it has a tendency to lessen by one-half the dissipation and the drinking among the people in the country. I cannot speak from any experience with regard to the cities.

3104. Is it progressing in that direction?—I cannot say. I do not know that under the present law it would ever be any better. So far as my experience goes, it does not prevent that class from indulging in intoxicating drinks who have the means to procure them; but it lessens very much the intoxication of those who can ill afford to buy them; they cannot have that access to them that they had under the former laws.

3105. That would lead one to suppose that the suppression of drink-houses would be beneficial to that class?—Decidedly, I think.

3106. But it would not materially, if at all, reduce the drinking of those who can afford to have these intoxicating liquors in their own houses?—It would not lessen it at all in that direction. The great secret of all our troubles lies, at least, mainly in the drinking of that class of people that can ill afford it and have not the means to spare. Those who have the means can procure it as well under the present law as before.

3107. What do you mean by those who cannot afford it; the working classes?—The working classes and people of moderate means.

3108. Persons who live by skilled and by unskilled labour?—Yes; we have a labouring class of young men in our country, farming men, railroad men, men in all classes, who simply live from hand to mouth; they use up all their substance as they go along. A good deal necessarily goes for drinks. In my opinion if they could not get those drinks readily they would be much better off.

3109. Then for that class the suppression of drinking-houses would be beneficial?—Yes.

3110. Mr. Akroyd.] You were asked last Tuesday whether you could tell the Committee from your own experience, that prohibition had been found effectual, and you said you thought that

that every excise law that had come into operation had been defective in that respect, and that the law was constantly evaded?—Yes.

3111. Then, if these laws are constantly evaded, I do not see how they can be beneficial; perhaps you will explain?—Where a house is licensed for the sale of intoxicating liquors it is all open, and free of access, but where the law has to be evaded it is done secretly in back rooms, and other places of that kind. The class of people of whom I spoke, to whom drinking was so detrimental are mostly shut out from those drinking places. Of course they are admitted at times, but as a rule they cannot obtain spirits there so readily. The man that dispenses the spirits cannot trust them so well, because they might inform against them, not perhaps in so many words, but by their actions from the very fact of being intoxicated. I may mention that it was stated by a wholesale liquor dealer, two or three years ago, that where there was this prohibitive law in one section of the State, his sales after the law came into operation were not one-third of the previous amount; it nearly ruined his business in that section of the State.

3112. What state was it?—New York.

3113. In what part?—In the northern part, near the Canadian frontier; it seriously interfered with his business there while the prohibitive law was in existence; he had a good trade previously, but it was almost entirely ruined.

3114. Does that apply to that particular section of the State, or generally throughout the State of New York?—He gave me to understand that that was the action of the law in regard to his business wherever it was adopted in the State.

3115. I suppose you have no statistical returns on the subject, and that what you have stated is a matter of opinion?—It is more a matter of opinion than anything else.

3116. Was the person to whom you alluded a brewer, or a dealer in foreign spirits?—He was a dealer in foreign spirits, and domestic too; all kinds of spirits.

3117. Your remarks apply to spirit drinking?—Yes, not to the drinking of ale or malt liquors.

3118. In your State the consumption of ale is not prohibited, but only the consumption of ardent liquors?—That is all; in some States they have to get a license to sell ale just as they have to sell spirits.

3119. How is it now in the State of New York?—I do not exactly know; they have recently passed a Bill, a prohibitory or optional Bill, or something of that kind; I heard a reference to it in the House of Parliament. They had the Bill under consideration when I left home.

3120. *Chairman.*] Is that a matter within your own knowledge?—No, I have no personal knowledge of it.

3121. *Mr. Miller.*] Have you any means of knowing the amount of spirits brought into the State of New York and the quantity consumed there, so as to be able to ascertain whether the drinking of ardent spirits is on the increase or otherwise?—I cannot give you any facts in regard to that; I have no statistics.

3122. There is, I suppose, a duty on spirits imported?—Yes.

3123. Then it could be ascertained from the Government returns?—Yes, it could be readily ascertained.

3124. Have you anything in the State of New York.

York at all like what we call the Permissive Prohibitory Liquor Bill, putting it into the power of a parish or borough or town to prohibit the sale of liquor by a majority of two-thirds?—That was the sum and substance of the licensing law passed two or three years ago by the State of New York.

3125. Did it require a bare majority, or what?—A bare majority of the people.

3126. Supposing the required majority to be two-thirds, would that materially affect the question?—I think it would be very seldom that you would find any locality adopting the law if the majority of two-thirds were required.

3127. Then a bare majority of one individual can bring about a prohibition; that is if there were 50 on one side and 51 on the other?—Yes.

3128. But suppose that instead of that there were 66 on one side and 33 on the other?—I think it would be very seldom that the law would be passed in any town or county; with us everything of that kind goes by majority.

3129. It would approach nearer to public opinion if you had 66 instead of 50?—Yes, it would be more decisive, and probably more effectual.

3130. *Mr. Akroyd.*] Can the majority with you increase the number of licensed houses?—That would be left with the Excise Board; if the people in a given town vote that they would grant licenses, it would be left to what we call a supervisor and the justices of the peace to determine the number of licenses that would be granted; it would be optional with them whether they granted one or more.

3131. Have they any rule to go upon in apportioning the number of public-houses to the locality?—It is generally understood that they are arranged to suit the convenience of the people.

3132. Who determines the number?—The board determines the number of licenses, and they grant them to whom they think fit.

3133. Then, although the people may say whether there shall be licenses or not, it is for the board to determine the precise number?—Yes.

3134. It does not go by a majority of votes, but is left optional with the board?—Yes.

3135. How was the board appointed, and of whom does it consist?—The board is elected by the people in the first instance; the justices of the peace, and the supervisor, the head officer of the town, are elected by the people; it is left to the people to say by a direct vote whether they will have license or no license; then the board will direct who shall have a license and who shall not.

3136. To whom does the income derived from these licenses accrue; does it go to the State fund?—It goes to the State fund, or what is commonly called the Poor Fund; in the State of New York it is supposed to go to the fund for the support of indigent and poor people.

3137. Have the licensing board any interest in this poor fund; their object, I presume, would be to make the fund as large as possible?—They have not a cent's worth of interest in it; they are paid so much a day for their services, and the fee goes direct into the Treasury.

3138. I suppose they take a warm interest in the condition of the poor, and they may desire to increase the fund, while at the same time they might not desire to increase the amount of drunkenness?—It is optional with them.

3139. I suppose they endeavour to make a fair compromise?

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compromise?—The law provides that the amount to be paid for the license shall not exceed a certain sum, and shall not be less than a certain sum; the board can go anywhere between those two amounts.

3140. Mr. W. H. Gladstone.] Can you tell us what the expense of maintenance that falls upon the State fund is?—There has been no expense in our institution falling upon the State for the past two years.

3141. Originally there was some expense incurred, was there not, in founding the institution?—Yes.

3142. Was that large?—There were appropriations from the State for some five years amounting to from \$120,000 to \$125,000 a year. That amount was appropriated for the express purpose of building and putting the grounds in a proper condition, but the receipts from the patients did not meet the current expenses of the institution, and they took some of this fund to make up the deficiency. Whether they had a right to do so I do not know. It was immaterial I suppose so long as they got it.

3143. The report of the Commissioners of Public Charities for 1869, which I lately had the opportunity of reading, seems to be of anything but an encouraging character as regards the results in your asylum. I should like to ask if the subsequent reports have been more encouraging?—Very much more; so much so that the Commissioners of Public Charities are favourable to the institution being continued as such in the present condition of things.

3144. They have been of a different tone?—Quite a different tone. At that time it was not a State institution, it was an organisation or corporation, but a year ago last spring the whole of the property passed into the hands of the State, and now it is a State institution like the other charitable institutions.

3145. To what do you attribute the change?—I attribute the change to the fact that the current receipts of the institution met the expenses instead of there being a deficiency.

3146. Their objection appeared to arise from the small effect that the institution seemed to have had in the way of reformation. Has there been any improvement in that respect?—I don't care to say much about that. I am confident they are of quite another opinion to-day.

3147. Major Walker.] I think you said that in the State of New York, a dealer in liquor told you that the result of the repressive law had been to reduce his business to a third of what it had been before. Should you be inclined to attribute

that to a universal reduction in the amount of drink consumed in the town, or rather to the fact that the law having made secrecy and evasion necessary, the trade had passed to a considerable extent into the hands of small dealers who carried it on surreptitiously, that it had been transferred from the large open liquor stores to small private and secret establishments?—It is quite possible that there is a great deal of that done; I know something of its being done.

3148. At all events, you do not believe that the entire consumption of spirits in the State has been reduced to one-third of what it was before the operation of the law?—No, it is only in particular localities where the law is in effect.

3149. In the locality to which you refer, do you imagine that the entire consumption of spirits has been reduced to one-third of what it was before?—I should judge to one-half; that is simply a matter of opinion.

3150. Mr. Miller.] Was the person to whom you have referred a wholesale man, or a retail?—Wholesale.

3151. Then would he be likely to supply the small dealers?—He might, or might not. The probability is that he would not supply the small dealers.

3152. Then what would his trade be? Whom would he supply?—I do not know, unless it would be some parties outside the locality whom he would supply largely. The small concerns would smuggle in small quantities at a time.

3153. Would they not be likely to supply the wholesale men nearest to them?—Most likely they would.

3154. This man was in the immediate neighbourhood?—Yes.

3155. Yet you think they did not apply to him?—I know that he conveyed the idea to me, that where the law was in operation it materially interfered with his business, cutting off one-half or two-thirds of the amount he had formerly been in the habit of supplying to that section.

3156. You said that the price paid for the license ranged from a minimum to a maximum sum. Can you tell us the amounts?—In country towns the price is from \$15 to \$50.

3157. You say that the sums derived from the licenses go into the Poor Fund?—Yes.

3158. Are the poor supported by rates?—By rates.

3159. Then the sum, if large, would go to relieve the rates?—Yes.

3160. Would not that lead the people to desire that the sum should be as large as possible, so as to reduce the rates?—I rather think not.

Dr. JOSEPH PARRISH, further Examined.

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3161. Chairman.] HAVE you had the opportunity of reading the evidence which I gave before the Committee on the 16th of April?—Yes.

3162. So far as it relates to what is within your knowledge, is it a fair representation of facts?—I think it is.

3163. I believe I have fallen into one error. I have called the asylum in Philadelphia, over which Dr. Kirkbride presides, a State asylum. I believe it is a private corporation, built and maintained by private contributions?—Yes; you would be likely to fall into that error from the name of the establishment; it is called the Pennsylvania Hospital for the Insane, but it is not strictly a State institution.

3164. I wish to ask you what are specifically the difficulties in the management of a reformatory for inebriates which you have experienced?—I think the chief difficulty arises from a class of incorrigible, unmanageable inmates. We always find in such institutions a few men, such as those that I described on a former occasion as confirmed men, who are restless, who make a business, more or less, of going from institution to institution, staying a term at one, and then a term at another; men who by nature, or certainly by habit, are vicious and criminal men. They make a point of complaining of everything about them; they have been complainers at home, and complainers in society, and they are grumblers

grumblers in the institutions. If they are dismissed, they make it a point of course to be vindictive in their references to the institutions. If they serve out their time and go away tacitly and by arrangement, they are generally the same class of uncertain and selfish men. From that class of men we very often get rumours, that sometimes find their way into the papers, that intoxicating liquors are freely used in such institutions. If they have been used, they are the men that use them invariably. There is a very small percentage of that class of men, and they are always giving us discomfort. They ought to be locked up, and put out of the way.

3165. Have you met with any difficulty from unappreciative friends of patients?—Yes. I think the friends of patients very often expect a great deal more of our institutions than they can accomplish. They want to get rid of their burdens, and send their troublesome inmates to such institutions, and because they are not turned out in a very short time reformed or changed men, they are dissatisfied; but they form a very small percentage.

3166. Have you had amongst your patients any considerable number of those who first of all tried the effect of total abstinence, and becoming members of temperance societies?—Yes. I cannot say that there is a majority, but a very large number of the inmates of the institution over which I preside have made efforts outside of various kinds. Quite a number of them have been attached to temperance organisations, and taken the pledge, and for a while have apparently been consistent; but failing to stand firm continually, they have lost their standing in such societies, and been thrown back again upon the world.

3167. You have no doubt that, up to a certain point, these societies have been very useful in diminishing the evil of inebriety?—I think so. Of course the great advantage of these societies is their influence upon the young who are growing up. By uniting themselves with these societies they are kept out of associations which would lead them into intemperance. As to their effect in reforming inebriates, so far as my observation is concerned, it has been very small.

3168. It has been the educational extension of the knowledge of the evils of drunkenness that has done the good that has been effected by these societies?—Yes.

3169. Mr. *Akroyd*.] You have heard the evidence of Dr. Dodge with regard to the effect of prohibition in a section of the State of New York, that effect being to diminish to the extent of one-half or more consumption of liquor; does your observation of the State of Pennsylvania lead you to confirm the remarks of Dr. Dodge in that respect?—We have no prohibitory law in Pennsylvania that has been in operation. We have a law, as I stated before, that has been passed by our Legislature, leaving it to the people in different localities, in March next, to vote whether they will have licenses or not. The law has not yet been put in force. It contemplates, however, the utter demolition of all classes of manufacturers and sellers, brewers, distillers, and everybody else, whether wholesale or retail.

3170. If a law of that kind were put in force, consumers even in private houses would be dependant on foreign supply?—Yes; if the law should become effective.

3171. Is it likely that such a law would be

effective?—I think it is very doubtful in our State.

3172. May I ask whether your opinion confirms that of Dr. Dodge with regard to the advantages of inebriate asylums. He says; "The advantage of these asylums is that they secure a permanent and perfect cure and reformation which the inebriates were powerless to effect at home, surrounded on all sides by temptations, and by associates, if possible, worse than themselves." Do you agree with that opinion?—Yes.

3173. You think that a cure is almost impossible when these persons are surrounded by temptations of all kinds?—Yes.

3174. And the only means of curing them is to give them an opportunity of being detained in these asylums?—The will of such men in the midst of associations to which they have been accustomed, and the temptations with which they are surrounded, is very often powerless.

3175. Do you not believe that the most perfect cure, after all, is the acquirement of the power of self-control, that that is far better than any prohibitory laws?—Certainly; that is one great advantage of these associations, that they give men the opportunity of getting possession of themselves and seeing where they are.

3176. So that they may form new habits of life, and acquire the power of withstanding temptation?—Yes.

3177. Mr. *Downing*.] Did I understand you to say that one objection to these reformatories arose from these incorrigible people, who give you great annoyance?—I do not consider it an objection, properly speaking, to the institutions, but it is a difficulty in the way of their comfort and success.

3178. A difficulty which is of course to be found in all establishments, gaols, workhouses, and so on?—Yes.

3179. You do not go further than that?—No.

3180. Mr. *Miller*.] I understand from you that you regard temperance societies as preventive rather than curative?—That has been my own observation and experience.

3181. Do you find that temperance societies are really effective in their operation upon the young?—I should think so.

3182. With regard to the law that is about to come into operation, is it a permissive law, or how is it to operate?—I have read your permissive law, and in the main the features of it correspond with our law.

3183. That is to say each locality, can have drinking houses, or not, as it may decide by vote?—Yes; what we mean by each locality in our State is each city and county. The original law that the friends of temperance endeavoured to get passed, contemplated the vote being taken in wards, in cities, and in boroughs and similar sections, what we call townships in the country; but the Legislature did not pass that law, it modified it so as to include the larger regions, taking the whole of a State, and the whole of a county, at the ordinary municipal elections.

3184. Is it a bare majority that is required?—A bare majority. In that respect it differs from your law, which I see contemplates two-thirds.

3185. Do you think that would be an improvement in the working of it, or otherwise?—I have no doubt it would be more satisfactory to the people in any locality to have the thing determined by a two-thirds majority than a bare majority

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Dr.
J. Parrish.
10 May
1872.

majority of one or two, but in that case a prohibition would be less likely.

3186. You said, the other day, that such laws could not be carried out if they were against popular sentiment?—Yes.

3187. A majority of two-thirds would approach nearer to the public sentiment than a bare majority?—Yes.

3188. And to that extent it would be an improvement?—Yes.

3189. And more likely to be operative?—Yes. The great objection we have to the law (by “we” I mean the people who understand the law in our courts) is, that it delegates to the people the power to make laws which properly belongs to the Legislature. Upon that point there is a considerable difference of opinion among lawyers and

judges, I mean as to whether the law is constitutional on that account.

3190. Is your licensing system in the State of Pennsylvania similar to what it is in New York, as it has been described by Dr. Dodge?—Yes.

3191. The licensing board is appointed by the people?—Yes, in the cities.

3192. Not in the country?—In the country the judges of the courts grant licenses upon a petition signed by responsible freeholders.

3193. How many are required to sign such a requisition?—I think 12.

3194. In the locality, of course?—Yes, and they must certify in their petition that the person making an application for a license is a respectable and responsible person, and that they believe the house to be desirable.

Dr. ROBERT DRUITT, called in; and Examined.

Dr.
R. Drutt.

3195. *Chairman.*] I BELIEVE you are a physician in practice in London?—Yes.

3196. And you have given considerable attention to the subject of habitual drinking?—Yes; I have been forced to it.

3197. Especially in persons of the upper classes?—Yes.

3198. I believe you have also contributed to the public information upon the subject of the desirability of bringing purer and less intoxicating drinks into general use in this country?—Yes.

3199. Have you in your own mind drawn any distinction between the different classes of drinkers; habitual and frequent drinkers?—Yes; I have been compelled to classify them, because I think they belong to two entirely different categories; the people who drink openly at public-houses are subjects for the police and the schoolmaster; the class that I appeal for are chiefly women of the upper classes, or men, who are led to secret drinking for the relief of misery, bodily or mental.

3200. Do you mean that the secret drinkers are largely women?—Yes.

3201. It is especially on account of the secret drinking among the upper classes that you put in your plea?—Yes.

3202. How do you account for this secret drinking, especially amongst women?—First, from bad information, or rather a vicious opinion of the effects of alcoholic beverages on many complaints, and from what I cannot help calling the almost reckless use of the stronger forms of it when weaker ones would suffice; sherry, for instance, instead of Bordeaux wine; then, in the next place, they come to be resorted to for the cure of bodily maladies that the physician ought to see to, but does not, or for the cure of private miseries and grievances which the sufferer takes that means of relieving instead of better ones.

3203. Then you would say shortly that they are victims of bodily and mental ill-health?—Yes.

3204. That they fly to stimulants for remedies without asking their physicians whether they are proper remedies or not?—Quite so.

3205. Are you of opinion that members of your own profession have not unfrequently prescribed the alcoholic remedy when it would have been better for them to have prescribed the medicinal one?—I do not think that they do so as often as is suspected; occasionally a practitioner may be rash in recommending port wine or brandy for

the cure of debility; but in general the people who take it take it of their own accord (*Chairman*), and lay the blame on the doctor afterwards?—I have known that repeatedly.

3206. Is this habit of secret drinking amenable to moral and religious influences, or does it defy them?—It defies them; I have known many instances of women, amiable, respectable, and pre-eminently religious, who nevertheless were the victims of this habit from physical or moral causes.

3207. Then you would apply some more direct and strong means than the lectures and entreaties of the friends of inebriates?—Yes; I would ask that we should have power to treat these people medically.

3208. Without entering into any discussion of the question of insanity, do you think that inebriety, inasmuch as it is dependent upon defective mental qualities, may be regarded, at all events, as an impaired mental function?—Certainly.

3209. Have you noticed, with regard to some of these persons who have taken to drink, that their mental powers are feeble, and that they are feeble physically?—I have noticed that in some families there is a nervous system of bad construction; that the members of those families are marked by enormous consumption of both food and drink, and, at the same time, by an enormous oxydation and waste, which is indicated to scientific men by the immense quantity of urea that they pass; they are constantly in a state of chronic hunger and exhaustion.

3210. Then, without associating inebriety with insanity necessarily, is it your opinion that much drinking accelerates the process of falling into insane conditions?—Yes, without doubt; but I would observe that it is the people who are a little cracked that furnish the most obstinate and incurable cases of habitual inebriety in private life.

3211. Have you reason to believe that those have frequently inherited a very feeble or a very excitable nervous system?—Yes.

3212. And, consequently, any excitement, either of woe or happiness, which would fall harmlessly upon a tolerably sound brain, leads in their case to the habit of drinking?—Yes; I believe that prosperity or unusual success will lead to it. For instance, if a man has got an office which has made him independent, as he thinks, or if he inherits a title and a fortune; I have known such a man give way to drink.

3213. How would you proceed to get rid of this

this habit of drinking?—First, one must get, either with the patient's consent or without it, the means of treating him as one would treat any other physical case. One must inquire what are the symptoms that precede drinking, and that is a more fruitful inquiry than many people imagine. It is found that many people drink periodically; instead of having a fit of gout or insanity, they have some morbid sensation which leads to a bout of drinking. Those sometimes may be got hold of and relieved, and the craving for drink may be met by substitutes of a medicinal order. If patients will not consent to these things voluntarily, we want the power to make them.

3214. If the patient will not abandon his habit, he should be protected against himself by some law, which may be put in force either by his relatives or some other power?—Yes.

3215. And you are of opinion that such a power, properly guarded, would be very useful in the restoration of these persons to health to a sound condition of mind and body?—Yes, without doubt; besides preventing an infinity of scandal and misery.

3216. If you had had such a power as this during your 30 years' practice, do you think that you would have been the means of saving a considerable number of persons?—Yes, I feel certain of it.

3217. You think that if a power existed of treating these persons, even within their own houses, many of these deplorable events of domestic life might be prevented?—Yes; I believe so.

3218. Mr. *W. H. Gladstone*.] How would you define an inebriate who is to be placed in an asylum; how would you ascertain his condition?—It seldom comes upon one all at once. I have in more than one instance called at a house and found a patient utterly tipsy, lying on a sofa. I have two instances in my own mind, in which I was the person who informed the husband of it. He had been hardly aware of it before. In other cases the evidence is obtained from the servants. Lastly, it comes from overt acts, and from bills coming in for spirituous liquors, and from the ornaments in the drawing-room, for instance, being pledged. I have known such things as that.

3219. It appears that in New York there must be the affidavits of two physicians and two freeholders to the effect that an inebriate has lost his control, that he is unable from such inebriation to attend to business, or is dangerous to remain at large; do you think that would meet the case?—Some modification of it. It would be easy to construct a kind of family council which should decide on the necessity for preliminary measures.

3220. Mr. *Akroyd*.] Your evidence has chiefly referred to the excessive use of alcoholic drinks in private?—Yes.

3221. Then any general measure for prohibiting the sale of intoxicating liquors would hardly affect that class of patients, inasmuch as they would always have a good supply at their own houses?—It would not affect them much; it would in some degree, no doubt.

3222. I understand from your evidence that many of these persons suffer originally from disease, from a peculiar state of the nervous system, or from some insatiable thirst for these drinks?—Yes.

3223. Therefore you recommend, upon the whole, a medical treatment?—Yes.

3224. You look upon them with a compassionate feeling, as persons who are suffering rather from mental disease than from a vicious habit?—Exactly; more as unfortunates than as criminals.

3225. For that class of persons private asylums, I presume, where there is the power of detention for a proper period, would be the best mode and the most acceptable mode to adopt?—I think so.

3226. You think that private inebriate asylums would be desirable for that class of patients?—They would be the salvation of many.

3227. Mr. *Downing*.] Did I understand you to say that in many cases the vice of drunkenness was hereditary?—Yes, or rather that the condition which gives rise to it is hereditary.

3228. That is, that a drunken father and mother would be likely to have drunken children?—Yes, or a half insane or eccentric father and mother.

3229. Setting aside insanity, do you say that where the parents have acquired drunken habits for a number of years, and have had children born during that period, those children inherit the passion for drink which you have described?—I have known that in one or two cases, but my observation chiefly went to this, that when persons have imperfect brains, when they are eccentric, and slightly subject to disease, that state is hereditary, and it will lead to drink.

3230. Would you say from your experience that you have known drunken parents to have children of very sober habits?—I have known that.

3231. And, on the contrary, parents who are very sober may have drunken children?—Yes.

3232. Are you opposed altogether to the use of wine?—No.

3233. Do you approve of sherry?—No, I approve rather of the Bordeaux light wines. I have written a book in order to urge my medical brethren to prescribe claret, and discourage port and sherry.

3234. If you were dealing with an inebriate, would you not rather cut him off altogether than give him Bordeaux light wines?—Yes, in case of an inebriate, I would plunge into the water at once, unless there was danger to life.

3235. You think that this is really the only cure that can be applied?—It is the best. We can make up by medicine and diet all that he could get out of alcohol for life and comfort, unless the man is likely to sink. Some persons have been so long in the habit of drinking, or of using opium, that it cannot be left off at once with safety.

3236. Have you known persons addicted to the vice of drinking to come voluntarily and place themselves within the walls of a reformatory, or some place where they could be received, so as to guard against the passion?—I have never known that done, but I have known some similar things done.

3237. Do you think it likely that it would be done?—I think many persons would avail themselves of such a protection.

3238. And that is an additional reason why you think there ought to be reformatories of that kind?—Certainly.

3239. You think they are almost as much required as lunatic asylums?—Quite so.

Dr.
R. Druitt.
10 May
1872.

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Appendix, No. 1.

WEST RIDING CONSTABULARY.

	PUBLIC HOUSES doing Business on 11th October in each of the following Years.				BEERHOUSES doing Business on 11th October in each of the following Years.			
	1868.	1869.	1870.	1871.	1868.	1869.	1870.	1871.
Lower Agbrigg - - - -	132	134	134	136	91	103	94	93
Staincross - - - - -	233	239	217	246	202	182	174	170
Rotherham - - - - -	162	164	163	162	148	156	146	149
Low. Str. and Tickhill - - -	91	89	89	88	51	43	41	38
Upper Osgoldcross - - - -	88	84	83	83	50	36	43	42
Lower Osgoldcross - - - -	71	72	73	73	24	30	30	30
Barkstonash - - - - -	108	108	109	109	21	19	16	16
Sheffield - - - - -	113	112	112	110	55	46	51	51
Ainsties and Wetherby - - -	124	123	120	120	17	25	22	21
Claro - - - - -	218	219	221	221	34	39	36	35
Otley - - - - -	74	73	77	79	49	50	50	46
Skyrack - - - - -	57	56	56	55	36	27	26	26
East Staincliffe - - - - -	117	117	117	116	14	14	11	11
West Staincliffe - - - - -	48	48	48	49	6	6	4	3
Ewcross - - - - -	37	37	44	50	12	12	14	11
Keighley - - - - -	77	78	79	80	73	53	51	49
East Morley - - - - -	139	145	150	150	201	249	247	245
West Morley - - - - -	200	202	202	202	267	292	272	262
Saddleworth - - - - -	50	50	52	52	28	24	22	20
Upper Agbrigg - - - - -	224	154*	153	152	179	115†	114	108
Dewsbury - - - - -	147	147	147	147	170	197	208	192
TOTALS - - -	2,510	2,451	2,476	2,480	1,728	1,718	1,672	1,618
Habitual Drunkards, Government Returns for year ending 29th September.	991	738	794	990				

* 70 absorbed by extension of Huddersfield borough, and 2 whose licenses were refused.

† 64 absorbed by extension of Huddersfield borough, and 7 whose licenses were refused.

Duncan M'Neill, Chief Constable.

RETURN of PUBLIC and BEER HOUSES, &c., for Years 1868, 1869, 1870, and 1871.

YEARS.	Public Houses doing Business 11 October.	Beerhouses doing Business 11 October.	Number of Persons proceeded against for		Number of Habitual Drunkards proceeded against.	Population.
			Drunkenness.	Drunk and Disorderly.		
1868 - - -	2,510	1,728	1,020	1,571	991	1861: 871,081
1869 - - -	2,451	1,718	931	1,958	738	833,000
1870 - - -	2,476	1,672	1,353	2,450	794	—
1871 - - -	2,480	1,618	2,154	2,529	990	1871: Probable. 982,000

In 1869, Huddersfield extension of borough absorbed 70 public-houses and 64 beerhouses.

Duncan M'Neill, Chief Constable,
West Riding Constabulary.

Chief Constable's Office, Wakefield, 20 April 1872.

Appendix, No. 2.

Appendix, No. 2.

PAPERS put in by Mr. *Nelson*, 30 April 1872.

RETURN showing the Number of LADIES BOARDED in the INSTITUTION, QUEENS
BERRY LODGE, HOLYROOD, EDINBURGH, from 1866 to 1872.

Number of Times they returned.

Months Resided.	First Admission.	Second Admission.	Third Admission.	Fourth Admission.	TOTAL.
1 month - - -	47	14	5	- -	66
2 months - - -	18	2	1	- -	21
3 " - - -	13	4	- -	- -	17
4 " - - -	8	2	- -	- -	10
5 " - - -	5	1	1	- -	7
6 " - - -	1	3	- -	- -	4
7 " - - -	5	- -	- -	- -	5
8 " - - -	2	- -	- -	- -	2
9 " - - -	2	- -	- -	1	3
10 " - - -	2	- -	- -	- -	2
11 " - - -	2	- -	- -	- -	2
12 " - - -	2	- -	- -	- -	2
16 " - - -	1	1	- -	- -	2
21 " - - -	- -	1	- -	- -	1
24 " - - -	- -	1	- -	- -	1
29 " - - -	- -	1	- -	- -	1
30 " - - -	1	- -	- -	- -	1
32 " - - -	1	- -	- -	- -	1
64 " - - -	1	- -	- -	- -	1
	111	30	7	1	149

From August 1866 to April 1872.

Ladies Admitted :

The First time - - - - -	111
" Second time - - - - -	30
" Third time - - - - -	7
" Fourth time - - - - -	1
TOTAL - - - - -	149

FORMS OF APPLICATION FOR ADMISSION.

Appendix, No. 2.

1.—*Form to be signed by Applicant before Admission.*

I, _____, residing at _____, hereby make application of my own free will to be admitted as a Boarder into the Institution over which you preside, and I hereby promise to conform to the Rules of the Institution, and to give a month's notice previous to leaving it. But should I leave the Institution without such notice being given, I agree to forfeit the month's board. In witness whereof I have subscribed this at _____ the _____ day of _____ 18 .

To the Governor,
Queensberry Lodge, Edinburgh.

2.—*Form of Application to be made by the Husband, where Applicant is married, or other near Relative, with Form of Approval to be afterwards signed by her.*

I, _____, residing at _____, hereby make application for the admission of _____, my _____, as a Boarder into the Institution over which you preside, and I hereby consent and agree that she shall conform to the Rules, and that a month's notice shall be given previous to her leaving. Should she leave within the month, a month's board shall be forfeited to the Institution. I also hereby bind myself to free the Institution from all responsibility that may arise in any way in connection with her residence there. In witness whereof I have subscribed this at _____ the _____ day of _____ 18 .

To the Governor,
Queensberry Lodge, Edinburgh.

I hereby approve of the above, and promise and engage to conform to the Rules of the Institution.

Appendix, No. 3.

Appendix, No. 3.

PAPER handed in by Dr. *Alexander Peddie*.

SUGGESTIONS for LEGISLATION in SCOTLAND for HABITUAL DRUNKARDS, referred to in Evidence on 19th March 1872.

When control
becomes necessary ;

of person ;
of affairs.

Institutions, kind
of, for control of
the person.

Sanatoriums, for
whom intended.

Workshops in.

Wages to be earned.
How to be applied.

Government aid
to model institu-
tions.

Where at first to
be erected.

The institutions
ultimately expected
to become self-
supporting.

Boards of directors.

Section I.—THE *Habitual Drunkard* ought to be viewed in law and treated as a person of unsound mind, when the habit of intemperance is such as to render him, notwithstanding the plainest considerations of interest and duty, unable to control himself, and incapable of managing his own affairs, or such as to render him in any way dangerous to himself or others ; and thus viewing him, the law should provide, 1st, for *control over his person*, so long as may be deemed necessary for protection, reformation, and cure ; and 2nd, for the *interim* management of his *affairs*, under trust, for behoof of all concerned.

II. To undertake the *personal control* and treatment of habitual drunkards, in the different grades of society, *public* and *private institutions* are necessary ; the *public* institutions being of two kinds, namely, *sanatoriums* and *reformatories*, founded and supported to some extent, at first, by Government grants, or local taxations, although ultimately made as far as possible, self-supporting ; and the *private* institutions, namely, *retreats*, licensed and supervised by Government, but upheld by individual enterprise, or that of companies or associations formed for the purpose.

III. The *Sanatoriums* are designed specially for the treatment of inebriates of the trades and working classes, or others of the community whose means, or those of their friends, may be inadequate to pay much or anything for board. But workshops of different kinds should be connected with these institutions, and other facilities afforded for occupation, that inmates might have an opportunity of earning wages, out of which a deduction should, in the first instance, be made for their own maintenance, then for the support of their families, if such there be, and the remainder go to secure additional comforts while in the institution, and to form a reserve fund for their own use after a trial of liberty is made.

For the establishment of such sanatoriums in Scotland, I consider it would be wise policy in Government to grant a sum of at least 2,000 *l.* or 3,000 *l.*, towards the founding of each of four tentative model institutions, plain but substantial and comfortable buildings, in the neighbourhood of four chief cities or towns, say, Edinburgh, Glasgow, Dumfries, and Aberdeen, on the understanding that by local taxation or voluntary subscription, an equal or larger sum would be raised for the purpose ; and that Government, for a short term at least, should also endow each institution with 300 *l.* or 400 *l.* annually, until it was seen how far the self-supporting principle could be developed to cover expenditure.* It is believed that the self-supporting power, through boards paid and work executed by inmates, if properly managed, would ere long render annual Government grants unnecessary ; nay, that a surplus would be realised towards an extension and improvement of the institutions, and thus enable them to overtake the care, not merely of the worst cases of habitual drunkards, as is at first only contemplated, but of a larger number of individuals, and many cases of a more promising character for cure. By suitable occupation also the inmates of these establishments are themselves likely to derive lasting benefit, seeing that the habit of idleness, which, in their case, is a very great obstacle to improvement, might be overcome.

It may be considered desirable when these sanatoriums are subsidised by Government as public institutions, that in addition to the necessary staffs of medical officers, superintendents, &c., there should be *boards of directors* to visit from time to time, to consult with the other officials in circumstances of importance, and to report, at stated periods, on their condition, progress, &c. This might be done by the Crown nominating from the several localities, boards composed of five directors, say a magistrate, a clergyman, a physician, a lawyer,

* Many may consider that Government should endow each of these model institutions, in such populous places as Edinburgh and Glasgow, with at least 10,000 *l.*, so that at first not less than 100 boarders could be accommodated, although Dumfries and Aberdeen only received grants for institutions on a smaller scale ; and it would not be unreasonable or inequitable to expect that Government should view this specific expenditure as an additional ground for increasing somewhat the duties on the distilling, liquor, and publicans' trades. Spread over such a vast area of interests, the tax could nowhere press heavily ; and this seems small compensation indeed for the most serious of these terminal evils which spring out of that traffic.

lawyer, and a merchant, all of whom should receive a small sum to compensate, somewhat, for the loss of time, although the duties may be considered of a benevolent character. Regulations for the duties of these boards, for the daily routine of the establishments; the arrangement for different occupations; for physical, mental, moral, and religious improvement; for strict order and discipline; for probationary trial beyond the precincts of the institutions, &c., &c., need not be specified. Of course a certain amount of reformatory treatment must be carried out in these institutions, inferring punitive measures; but these may consist of such plans as curtailing certain comforts in living, exacting fines from the gains of work, and deferring the periods of probational freedom.

IV. *Reformatories* are designed solely for those who, owing to habits of intemperance, have sunk in the social scale to absolute pauperism and degradation, and have become objects of parochial care; and for the criminal class of drunkards who are almost constantly resident in prisons. The *pauper* class of drunkards should be taken care of in separate wards of a poorhouse, or in a sanatorium, or a refuge, on the same distinct footing, or even in a county lunatic asylum, provided they can be entirely separate from the other insane. The *criminal* drunkard class, on the other hand, should be accommodated in wards or separate houses connected with our chief prisons, but kept entirely separate from other prisoners. By these arrangements, poorhouses and prisons would be relieved of a most demoralised, discontented, mendacious, mischiefmaking, and intriguing class of inmates; while the unhappy individuals themselves would have more chance of benefit from a distinct and more attractive system of treatment. The most important feature of reformatories for these two classes of inebriates, but especially of those under sentence for breach of the peace, theft, and other crimes, would consist in ample provision by space, material, and apparatus for useful and remunerative labour of various kinds. No better counteractive to the tendency to intemperance can be employed, none better fitted to generate feelings of self-esteem, and gradually strengthen the power of self-control, than occupation and the steady cultivation of industrial habits, especially with the stimulus of obtaining some immediate as well as ultimate advantages from the same. Now this power, it is believed, might be made of great use in inebriate reformatory treatment, if the machinery for the purpose be well devised, and firmly worked. It may not always be possible to have the kind of work to which persons have been accustomed, but an occupation of some kind might, in a short time, be learned. Of course in the case of the criminal class, the punitive element must necessarily be acted on to a considerable extent. With them work might require, in the first instance, to be compulsory, but it could, as was described in Section III., be made, even to them, both agreeable and profitable, by a system of rewards and benefits immediately derivable from industry and good behaviour, and the prospect, after deducting a fair allowance for daily keep during confinement, and for the support of a family, if there was one, of something considerable remaining for use when liberty is obtained. It is too well known that prisons have not a name for the reform of criminals; but inebriate reformatories—partly punitive, partly curative—should stand on a different footing, and give some prospect of good results from combined industry and sobriety. The lessons there learned, and the means employed, and the gains secured, might enable some at least to do well on return to society, instead of plunging at once, as is generally the case at present, into former evil courses, and soon returning again to prison life. On the other hand, considering the debased and perverse character of most of the individuals under treatment, there may at first be found no small unwillingness to perform the work imposed, or to submit to the discipline prescribed. But this could be met in various ways, without exercising gaol-like severity of treatment, and prove efficacious in the majority of cases. Thus, besides limiting particular creature comforts, and withholding certain pleasures, and imposing fines from the gain of work done, there may be the more serious check exerted, through application to a magistrate, in extending by weeks or months the period of reformatory control and treatment.

The existence of reformatories would enable magistrates throughout the country to make in certain cases, direct commitments into them of those found repeatedly drunk and disorderly, or committing other crimes under the influence of drink, without passing such wretched, and perhaps scarcely responsible, beings through prisons, and thus probably creating them gaol-birds for life.

The proposal to institute remunerative labour in these reformatories, besides making them self-supporting, would, it is believed, greatly lessen the general taxation for prisons and poorhouses, and thus save the State a large sum, indirectly as well as directly, by a reduction of personal and family pauperism and crime.

V. For the treatment in *retreats* of habitual drunkards belonging to the upper and middle classes, it is presumed no Government aid need be sought. As a certain result of legal facilities being given to control the person and manage the affairs of those affected with an irresistible propensity for intoxicating liquors, it is considered that private institutions of this kind will spring up in various parts of the country, either through individual enterprise, or a combination of effort for the purpose. It is desirable that these establishments should be veritable retreats, situated not in populous places, but in rural districts, remote from thoroughfares and public-houses; and presenting the attractions of scenery for walks and drives, and inducements for sport in the way of fishing and shooting. There are old mansion houses in the country, which, with little alteration, might answer well for retreats. Externally, some surrounding space for gardening, exercise, and pastimes, would be necessary; and internally, well furnished, airy, and comfortable apartments, with varied arrangements

Appendix, No. 3.

Regulations for the management of these institutions.

Reformatories.

For *paupers* drunkards.

For *criminal* drunkards.

The all importance of occupation for this class of inmates.

Punitive element in treatment must to some extent be necessary.

How to be carried out.

Magistrates may commit to reformatories.

General benefit to the country.

Retreats for upper and middle classes

may safely be left to private enterprise.

Where and what they should be.

Appendix, No. 3.

ments for occupation and amusement during bad weather and long evenings, would be most important; and not the least so would be perfection in the culinary department. All these arrangements should be made, so as to provide such new and relishable enjoyments as might counteract or take the place of craving for alcoholic stimulants, and go far to prevent discontentment under restraint. I need not go further in indicating the other agencies—medical, moral, intellectual, and spiritual—which should be brought to bear on the inmates of such institutions, with a view to the restoration to health of a diseased and enfeebled brain and shattered nervous system; to make the wretched and restless happy and contented, and, in time, create new desires, inspire more self-esteem, and develope and strengthen the power of self-control.

Licenses.

To be obtained through the Lunacy Board.

Main conditions on which they may be granted.

Arrangements not desirable as part of a Lunacy Act.

Supervision.

By Commissioners of Lunacy.

Objects of inspection.

Applications for control of the person.

Voluntary admissions, requirements and advantages of.

Notices of, by the physician or superintendent of institutions to the Board of Lunacy.

Obligations of voluntary entrants as to term of residence, &c.

Compulsory control. Applications, how to be made.

Medical certification, &c.

Circumstances which warrant enforced control.

VI. Every sanatorium, reformatory, and retreat must have *license* for the reception of habitual drunkards, in the same way as a lunatic asylum has a license for the insane of other kinds; and this should be obtained through the same channel, namely, the Commissioners of Lunacy.

Before granting this license, or permitting one to be retained, the Lunacy Board should be satisfied in every case that the particular house is well adapted for the care and cure of that grade of society for which it is designed; that it is to have or has appropriate arrangements for medical treatment, protection, and comfort; that there are ample resources for in and out-door occupation and recreation: that all are conducted on the strictest abstinence principles, even as regards the use of alcoholic medicines; and that the rules to be observed by inmates are in other respects judicious. The form of application for a license, the amount to be paid for one, the term for its renewal, &c., are matters that could afterwards be easily adjusted. While these and other arrangements are proposed in connection with the Board of Lunacy, it is not desirable or necessary that legislation for habitual drunkards should form any part of a Lunacy Act.

VII. As it is proposed that the sanatoriums and reformatories should derive more or less aid from Government, and as they and retreats alike are to be used for the control of personal liberty, and are to be licensed for that purpose, it is fitting that they should be open to State *supervision*; and as the habitual drunkard is viewed as a person of unsound mind, at least practically so, it seems manifestly proper that that inspection should be conducted by a Commissioner of Lunacy, or by some skilled deputy for whom he should be responsible; and that it be the duty of the one or the other to visit the institutions, whether private or public, at least once in three months, and report at stated times to Government on their condition and success, and inquire into complaints and appeals submitted to them by those under control.

VIII. *Applications* for control of a habitual drunkard in a sanatorium or retreat may be *voluntary*, or by others for *compulsory* powers.

1st. A *voluntary application* should be made to the physician or superintendent of a licensed house by the person himself, and the necessity of the case attested by at least one qualified medical practitioner and another individual, either a relative or friend, who may be cognisant of the facts of the case. By the simplicity, inexpensiveness, and privacy of this procedure, and also by the knowledge that the law has provided for compulsory powers, it is thought that persons may be induced the more readily to place themselves under control. In order, however, that no undue advantage be taken of any one entering an institution thus, it should be the duty of the physician or superintendent of it to give notice within three days thereafter to the Lunacy Board, in a schedule furnished for the purpose, stating the date of the reception, the name, residence, age, occupation, &c. of the person, and the apparent requirements of the case.

It should be understood that the applicant, on entering an institution, agrees to do so for a period of not less than six months, to be without pocket money during that time, and to conform to the other rules of the house; and the superintendent or physician should not permit the person to leave the institution, nor should his friends be permitted to remove him, at an earlier period than that agreed on at admission, unless under appeal to, and with the sanction of, a Commissioner of Lunacy, on due inquiry being made into the circumstances of the case.

2nd. *Compulsory* control in a sanatorium or retreat should be enforced by order of a sheriff, or other stipendiary magistrate in any case, on an application being presented to him by a relative or friend of a habitual drunkard, or a procurator fiscal acting for the public interest (supposing that there is no relative or party willing to do so); and when the necessity for personal control is certified by at least one qualified medical practitioner, and a householder, not a relative, who is cognisant of the facts of the case. The circumstances which should warrant this interference with personal liberty will of course vary in different cases, and must be judged of according to their own peculiarities. But whether a person during a course of intemperance be distinguished by extreme perversity of temper and disposition; by indecent, blasphemous, or violent language and behaviour; by mischievous disregard of, and reckless indifference to, the rights and feelings of others; by wastefulness, extravagance, or negligence in the management of his own affairs, or those of his family, or employers; or by being dangerous to his own life, or the lives of others, the presence of one or more of these conditions may be considered sufficient reason for legal control, more especially if the propensity to alcoholic excess has been of long continuance, or often recurrent, in spite of all ordinary means having been employed to bring about reformation and cure (*vide* also Section I.). Indeed in each case of certification, the facts observed,

served, and the facts made known to the certifier, should be stated in the same way as in other cases of insanity, and the case judged of on its own merits; and as no time is stated in the usual lunacy warrants, so none should for detention in any dipsomaniac case, but left to the judgment of the physician or superintendent of a sanatorium or retreat, with the assent of a Commissioner of Lunacy, if his opinion is requested.

That class of cases of acute brain disease, known by the names of *delirium tremens* and *delirium ebriosum*, being of short duration, and attended most frequently with more or less danger to the persons affected, and others, should at once be received into a sanatorium or retreat, without any other certification than that of qualified medical men as to their nature and urgency; but of course notice must be given, as in cases of voluntary admission, within three days, to the Lunacy Board. And it should be the duty of the physician or superintendents of the institution in each case, to liberate the person so soon as he is restored to sanity and strength; and to give notice of the dismissal to the Lunacy Board, unless action be taken in the case by friends or others in the usual way, for prolonged compulsory detention, and the case registered accordingly.

Admissions of habitual drunkards to reformatories should rest with parochial authorities in the management of their pauper inebriates, and with magistrates and judges in commitments for breaches of the peace, and other crimes perpetrated under the influence of drink; and of course it would remain with the parochial boards to decide when any one under their care might with greater benefit be transferred from the workhouse to a sanatorium, for special treatment; and with criminal authorities to decide what part of time their drunkards should rather spend in prison.

IX. *Detention.* The length of *detentions* should depend on the greater or less aggravated nature of the case. In *voluntary* entrances to a sanatorium or retreat, detention should never be shorter than the period agreed on (Sect. VIII. Clause 1), unless the friends of the person under control desire it, and the physician or superintendents of the institution, and a Commissioner of Lunacy sanction the step. On the other hand, it should never be prolonged, unless with the person's consent, or unless all the forms prescribed in Section VIII., Clause 2, are gone through.

In *compulsory* control, as already stated (Sect. VIII.), no period is fixed for treatment, and therefore it may be understood that detention should be continued from six months to two or three or more years, according as the medical adviser and friends of the person restrained, and the physician or superintendent of the institution of which he is an inmate, consider necessary, to effect such decided change in the condition of the brain and nervous system as may endow him with sufficient power of self-control as to fit him for a return to the duties of society. If the person, after the lapse of a short time becomes restless under control, and agitates for liberation, or should friends be importunate for this in opposition to the judgment and advice of the physician or superintendent, the case should be submitted to a Commissioner of Lunacy for his decision; or leave of absence from the institution may be granted on *probation* for hours, days, or weeks, while the warrant for control is not withdrawn. *Probation* should in every case be tried by the superintendent of a sanatorium or retreat, as a means of testing the strength of self-control; and should be continued for a considerable period of time, from a few weeks even to a year, before a final discharge is given.

In the case of criminal drunkards, they should not merely complete the term of magisterial commitment in a reformatory, but be subjected to extensions of control imposed as punishment for bad conduct while under treatment, or to any additional detentions which may be thought likely by the superintendents to conduce to complete reformation and cure. This, however, should not be done without reference to and an order from a magistrate, with or without the recommendation of a Commissioner of Lunacy. Probationary leave of absence may also be used as a power in the treatment of this class of drunkards.

The cases of acute brain disease referred to in Section VIII., Clause 2, should not be detained longer than is requisite for the restoration of sanity and strength, unless action be instituted in the usual way for compulsory control.

X. Complaints against the board of a sanatorium or the superintendent or physician of it, or of any retreat or reformatory, whether in regard to treatment or detention, may be made, in the first instance, to a Commissioner of Lunacy; or, if that does not satisfy, to the Lord Advocate of the time being, who may order, if he thinks fit, an independent inquiry to be made regarding the circumstances of the case, and deem accordingly.

XI. Although a habitual drunkard is declared by law to be in a condition of mental unsoundness, and incapable of managing his own affairs, yet it generally happens, when alcoholic supplies are suspended under control, that he soon recovers intelligence and judgment, in so far at least as to be able to understand ordinary matters of business. It therefore appears reasonable and just, when in this state (which is something more than the lucid interval of the insane), although he could not yet resist the impulse to immediate excess in intoxicating liquors if he had freedom, that he should not altogether be deprived of his civil rights and privileges. If his mind is not seriously unhinged or enfeebled; if he is capable of distinguishing between right and wrong; if he comprehends the matter of business he is to be concerned in; if he is not apparently actuated by malice towards those who consented to, or were the means of, placing him under control—should the particular matter of business concern such,—he should not be deemed unfit, under satisfactory attestation, to execute any testamentary deed, or to avail himself, under surveillance of course,

Appendix, No. 3.

No time at first to be stated for continuance of control.

Admission of cases of *delirium tremens* and *delirium ebriosum* for temporary treatment.

Notice of admission and dismissal to be given to the Lunacy Board:

but detention in such cases may be prolonged.

Power of parochial and criminal authorities to classify their inebriates in reformatories, &c.

Detentions.

In *voluntary* entrances.

In *compulsory* cases, how long in different instances.

Attempts to disturb detentions, and how to be treated.

Trials of freedom on *probation* desirable in every case.

Prolongation of control in the case of criminal drunkards to have magisterial authority.

Probation in case of criminal drunkards.

Detention in *delirium tremens* and *delirium ebriosum* may also be prolonged.

Appeals may be made to a Commissioner of Lunacy or the Lord Advocate.

Fitness of those under control to exercise certain legal rights and privileges.

Appendix, No. 3. of the opportunity to perform any external civil privilege, such, for instance, as voting at an election.

Curators and Trustees.

Who and by whom appointed.

In voluntary cases.

Trustees for wages earned in sanatoriums and reformatories.

Control of a person in *own dwelling* during fits of periodical drinking.

Control over the management of a drunkard's affairs although not an inmate of an institution.

For a *limited time* under a *trustee*.

For a *lengthened period* under a *tutor*.

XII. *Curators* and *Trustees* should be formally appointed, or be understood to exist in one form or other in any case where personal control is exercised. When there is property, or a business, or funds to manage, the sheriff or stipendiary magistrate who grants the order for control, should at the same time, or as soon thereafter as possible, nominate a curator. This curator should be that member of the family best qualified in respect of age, and ability for the duty; or several members, or the whole of the family, if capable of attending to business, may be formed into a family council or trust. Failing any such near relative, the sheriff or magistrate should appoint any known individual to undertake the duty, but in that case, if possible, give effect in the matter to the wishes of the person to be controlled. Then in the case of voluntary submission to control, the person himself, or herself, shall be entitled to make the selection of a curator. As regards persons controlled in sanatoriums and reformatories, the superintendents of such institutions, or treasurers appointed by them, should act as trustees for their behoof in regard to wages earned from work while inmates. It should be the duty of such trustees to keep carefully registered, in a book for the purpose, the gains of each individual from work executed, and the amount accumulated, after deductions for maintenance, for support of family, and for payment of fines for misconduct while in the institution; and the trustees should account for the same to each person when detention under probation, or otherwise, is at an end.

XIII. In early cases of excessive drinking, in which the habit of intemperance is not so decidedly formed as to require control and treatment in a sanatorium or retreat, and in short *periodical* or paroxysmal fits of excessive drinking, which may occur at long intervals of time, it should be declared lawful to take the control of the person when so drinking *in his or her own dwelling*. This should be done by the authority of any qualified medical practitioner, with the consent of the nearest relative with whom there is communication, or under the cognisance of any friend or party acquainted with the circumstances of the case; and he should be at liberty to place an attendant over his patient, so as to prevent continued supplies of liquor, and keep him or her under safe custody until sanity is regained, and the alcohol craving or impulse have passed away. It is believed that many cases of death from absolute intoxication might thus be averted, and also suicide and murders be prevented.

XIV. As an extension of these suggestions, interference with a drunkard's liberty in the management of his affairs should be declared lawful even when he may not be under personal control in a public or private institution. Two good proposals have been made by Professor Gairdner, in "Suggestions for Legislation, with a View to the Suppression of Drunkenness," pp. 10, Glasgow, 1869. The first of these is, that "the habitual offence might be met by the sequestration *for a limited time* of his weekly wages or other emoluments or profits of business, applying them under trust to the support of the family, and to the maintenance of the drunkard himself; and so leaving him *pro tempore* free to earn, but not free to spend. With a view to the utmost simplicity of the legal machinery, and therefore expense, the trustee might be nominated by the drunkard himself, and by the wife and nearest relative, with the consent of the magistrate, and authorised to receive the whole of the wages, and administer them in the interest of the family, and deposit in a savings bank any surplus during the duration of the trusts." The next step in severity, if the offences become more inveterate, would be, to place "the property and earnings of the drunkard for a *lengthened period* under the charge of a *tutor*, as in cases of insanity, and make a formal allowance to him, on condition of his living out of the way of temptation; or otherwise, the income might be used for the benefit of the family, as in the former class of cases."

The minor arrangements connected with such legislation as I have above suggested could easily be designed and adjusted when the chief points are agreed on; but in all legal arrangements facility, inexpensiveness, and privacy of operation should be considered as much as possible with due regard to security against improper interference with personal freedom.

March 1872.

A. Peddie,
15, Rutland-street, Edinburgh.

Appendix, No. 4.

PAPER handed in by the Chairman.

Appendix, No. 4.

LIST of CONVICTIONS, &c., against Mrs. *Margaret Mitchell*, from 29th March 1843 to 26th February 1872.

29 March - 1843	Sent to the House of Refuge, Edinburgh, where she remained till 2nd May. Governor reports her as a person of extraordinary intemperate habits, and violent and outrageous conduct and language (5 weeks).
15 October 1844	Sent to Glasgow Prison for 30 days for drunkenness, disorderly and indecent conduct.
17 September 1845	Sent to Lunatic Asylum, Glasgow; dismissed 8th November.
12 May - 1847	Sent to the House of Refuge, Edinburgh, where she remained till 30th September. <i>See</i> Governor's report (4 months).
19 October 1849	Sent to Glasgow Prison for 60 days for drunkenness and annoying her husband at his place of business.
14 February 1850	Sent again to Glasgow Prison for 60 days for drunkenness and annoying her husband on the street.
19 May - 1852	Fell down a stair when drunk and cut her head, and sent to the Glasgow Royal Infirmary, where she remained for 14 days.
2 September 1852	Sent to Lunatic Asylum, Glasgow; dismissed 2nd September 1853 (1 year).
19 December 1853	Sent again to Lunatic Asylum, Glasgow; dismissed 28th March 1854.
4 July - 1854	Sent to Glasgow Prison for 60 days for drunkenness and outrageous conduct, and annoying her husband at his place of business.
19 October 1854	Boarded in the Island of Arran, from which place she returned after being there 24 days.
22 June - 1855	Sent to Glasgow Prison for 60 days for drunkenness, disorderly and indecent conduct.
11 September 1855	Sent to the House of Refuge, Edinburgh, where she remained to 16th January 1856 (4 months).
29 April - 1856	Sent again to the House of Refuge, Edinburgh, where she remained to 23rd June (2 months).
June - 1856	Sent to board with a friend in the country, where she remained for 24 days.
2 October 1856	Sent to a female boarding house in Glasgow, where she remained for four weeks.
7 November 1856	Sent to Glasgow Prison for 60 days for drunkenness and annoying her husband on the street.
17 January 1857	Sent to a female boarding house in Glasgow, where she remained for 14 days.
29 May - 1857	Sent to House of Shelter, Glasgow, where she remained to 7th August. <i>See</i> Matron's Report.
15 August 1857	Sent to Glasgow Prison for 60 days for drunkenness, disorderly and indecent conduct.
28 November 1857	Sent again to House of Shelter, Glasgow, where she remained to 28th December.
8 September 1858	Sent to Glasgow Prison for 60 days for drunkenness, indecent conduct, and annoying her husband at his place of business.
6 August 1859	Sent again to Glasgow Prison for 60 days for drunkenness, disorderly and indecent conduct.
20 January 1860	Sent again to Glasgow Prison for 60 days for drunkenness, disorderly conduct, and annoying her husband on the street.
26 March - 1860	Sent to board in the Island of Arran, where she remained for 20 days.

Appendix, No. 4.	23 May - 1860	Sent to Glasgow Prison for 60 days for drunkenness, disorderly and indecent conduct.
	16 September 1861	Sent again to Glasgow Prison for 60 days for drunkenness and annoying her husband at his place of business.
	23 July - 1862	Sent to House of Refuge, Edinburgh, where she remained to 1st September (5 weeks 5 days).
	1 October 1863	Sent again to House of Refuge, Edinburgh, where she remained to 12 October (11 days).
	16 April - 1864	Sent again to House of Refuge, Edinburgh, where she remained till 1st July (2½ months).
	23 November 1864	Sent to House of Shelter, Glasgow, where she remained six months.
	15 July - 1865	Sent to House of Refuge, Edinburgh, where she remained to 11th December (5 months).
	13 December 1865	Sent to Glasgow Prison for 14 days for drunkenness, disorderly conduct, and annoying her husband on the street.
	17 January 1866	Sent to House of Refuge, Edinburgh, where she remained to 8th February, 1867. <i>See Governor's Report.</i>
	25 April - 1867	Sent again to House of Refuge, Edinburgh, where she remained till 10th May (15 days).
	12 August - 1867	Sent to board with a friend in Larbert, where she remained four weeks.
	10 June - 1868	Sent again to board in Larbert, where she remained two months.
	8 August - 1870	Sent to House of Refuge, Edinburgh, where she remained to 21st March 1871 (7 months).
	August - 1871	Sent to board again in Larbert, where she remained 25 days.
	21 September 1871	Sent to Glasgow Prison for 60 days for drunkenness and disorderly conduct.
	26 February 1872	Sent again to Glasgow Prison for 14 days for drunkenness and disorderly conduct.

AVERAGE NUMBER of Times of Mrs. *Margaret Mitchell* having been taken to Police Station and Discharged in the Mornings from 29th March 1843 to 26th February 1872.

	£.	s.	d.
200 nights at 8 d. per night - - - - -	6	13	4
Confined in Glasgow Prison from 29th March 1843 to 26th February 1872; 778 days, at 11 d. - - -	35	13	2
	£.	42	6 6

Appendix, No. 5.

PAPERS handed in by Dr. *Alexander Peddie*.

Appendix, No. 5.

RETURN showing the Number of PRISONERS who have been Committed to the County Prison of *Perth* for Crimes which they have Committed, owing to Intemperate Habits, for the last Four Years, ending the 31st December 1871, with previous Committals to the said Prison for the same Offence :—

	For the Year ending 31st December 1868.			For the Year ending 31st December 1869.			For the Year ending 31st December 1870.			For the Year ending 31st December 1871.		
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.
Committed for the first time	55	36	91	67	25	92	54	20	74	47	28	75
Committed once before -	19	15	34	29	14	43	21	11	32	16	13	29
Committed twice before -	10	6	16	13	13	26	14	4	18	15	5	20
Committed three times before	10	5	15	5	3	8	9	6	15	5	1	6
Committed four times before	5	4	9	8	2	10	3	7	10	3	1	4
Committed five times before -	3	1	4	3	2	5	3	2	5	6	3	9
Committed six times before, and under 10 times - -	14	5	19	16	1	17	6	4	10	6	9	15
Committed 10 times before, and under 20 times - -	5	30	35	7	8	15	15	3	18	11	1	12
Committed 20 times before, and under 50 times - -	7	10	17	1	4	5	2	10	12	3	7	10
Committed 50 times before, and under 100 times -	-	12	12	-	8	8	-	8	8	-	3	3
Committed 100 times before, and above - - -	-	-	-	-	-	-	-	-	-	-	1	1
TOTAL - - -	128	124	252	149	80	229	127	75	202	112	72	184

The Governor, in looking over the Criminal Registers of this prison, finds that many of the male and female prisoners in the above Return have, through their repeated imprisonments, spent a good many years of their life in prison, and all of which are traceable to a life of dissipation on the part of these poor unfortunate creatures.

Appendix, No. 5.

The following Table will show a few individuals who, from their many repeated imprisonments, and a long career of intemperance, have been almost the constant inmates of this Prison:—

	Date of Prisoner's First Imprisonment.	Date of Last Imprisonment.	Number of Times in Prison.	REMARKS.
*Margaret McCormick - (This woman's crimes were almost invariably window-smashing, all acts of violence.)	1844	1865	137	Drowned herself when intoxicated.
Jean Nairn - - -	1841	1857	51	Dead.
Nelly Dockertza Rox -	1842	1860	83	Dead.
Janet Mitchell - -	1850	1871	80	
Jean Narrie - - -	1842	1852	22	Dead.
Catherine McDonald -	1844	1872	102	
Margaret Bell - -	1850	1868	62	
Agnes Stewart - -	1841	1871	59	
Ann Cuthbert - -	1843	1862	49	Dead.
Eliza Bruce - - -	1849	1871	56	
Augusta Dempsey - -	1858	1871	44	
May Cameron - - -	1848	1862	40	
Ann Speed - - -	1845	1862	40	
Catherine Roy - -	1845	1862	32	
Eliza Carmichael - -	1862	1871	22	
Agnes Wood, or Drew -	1852	1871	36	
Mary Ann McNiel -	1857	1862	29	
†David Todd - -	1844	1862	21	
‡William Thomson -	1853	1871	29	

* Margaret McCormick was a young woman, a very skilled needlewoman, who could earn large wages. She never was convicted for theft, but for breaches of peace and window-breaking when drunk.

† David Todd was well educated as a surgeon. Never steals, but, when under the influence of liquor, commits breaches of the peace.

‡ William Thomson was at one time a respectable tradesman, but, when under the influence of liquor, commits assaults promiscuously on any person with whom he comes in contact.

TABLE showing the Number of Persons, Males and Females, who were Apprehended or Cited by the Police of the City of *Perth*, from 1st August 1861 to 1st August 1871, and the Number who were in a State of Intoxication at the time the Offence was Committed:—

Number Apprehended or Cited.			Number in a state of Intoxication when the Offence was Committed.		
Males.	Females.	TOTAL.	Males.	Females.	TOTAL.
6,079	3,040	9,119	2,864	1,368	4,232

Appendix, No. 6.

PAPERS handed in by Captain *McNeill*.

EAST RIDING PRISON, BEVERLEY.

Appendix, No. 6.

NUMBER of PRISONERS Committed and Received here (for the following years) for being Drunk and Disorderly :—

1861	-	-	-	-	-	42	1867	-	-	-	-	-	57
1862	-	-	-	-	-	43	1868	-	-	-	-	-	39
1863	-	-	-	-	-	33	1869	-	-	-	-	-	32
1864	-	-	-	-	-	66	1870	-	-	-	-	-	39
1865	-	-	-	-	-	64	1871	-	-	-	-	-	49
1866	-	-	-	-	-	36							

16 February 1872.

Alfred Shepherd, Governor. A

BOROUGH GAOL, LEEDS.

NUMBER of COMMITTALS under the Leeds Improvement Act, and the Wine Licenses Act, which are chiefly for Drunkenness; also the Number of Assaults, as many of these arise out of the same vice of Drunkenness :—

	1861.			1871.		
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.
Assault - - -	242	51	293	325	64	389
Leeds Improvement Act	449	174	623	699	351	1,050
Wine Licenses Act -	59	57	116	20	-	20
			739			1,070

16 February 1872.

C. A. Keene, Governor.

WEST RIDING PRISON, WAKEFIELD.

BEFORE 1865 no Record was kept of Commitments for Drunkenness, as that Offence was included under the Head of "Local Police Offences." The Commitments for Drunkenness during the Seven years the Record has been kept, were :

1865	-	-	-	-	1,133	1869	-	-	-	-	1,403
1866	-	-	-	-	1,140	1870	-	-	-	-	1,411
1867	-	-	-	-	1,186	1871	-	-	-	-	1,584
1868	-	-	-	-	1,436						

16 February 1872.

G. Armytage, Governor.

Appendix, No. 6.

BOROUGH GAOL AND HOUSE OF CORRECTION, SCARBOROUGH.

IN 1861 there were 136 Committals; of these, 13 Males and Seven Females were for Drunkenness. In 1871, the Committals were 269; of which 55 Males and 21 Females were for Drunkenness.

The above are the Numbers for the year proper, not the Criminal year.

21 February 1872.

John Flockton, Governor.

HOUSE OF CORRECTION, NORTHALLERTON.

NUMBER of COMMITTALS for DRUNKENNESS for the Years 1861 and 1871.

YEARS.	Number of Commitments for Drunkenness.	TOTAL Number Received during the Years.
1861 - - - - -	50	680
1871 - - - - -	220	1,154

17 February 1872.

George Gardner, Governor.

Appendix, No. 7.

PAPER handed in by Mr. *Smith*.

Appendix No. 7.

LETTER from the Governor of the House of Correction, *Ripon*, to the
Chairman of the Committee.

Ripon Liberty, House of Correction,
19 March 1872.

Sir,

SINCE giving my evidence before the Select Committee in the House of Commons, on Friday, 8th instant, respecting the best method of treating the habitual drunkards, I beg to offer for your information further suggestions, which I think will be the best method, and the lowest cost to the country. With respect to establishing places for their employment, which would be at a large cost, I should suggest in the first place for a trial that some large central gaol or gaols, in which accommodation can be made by setting apart some portion of the gaol for the purpose of the habitual drunkards to be committed to; and as the Home Secretary has already power to remove prisoners, under the Gaol Act of 1865, from gaol to gaol, accommodation could easily be made for that purpose. With respect to the periods which such persons should be confined to enable them to be reformed, I think it would be advisable to teach them some useful trade, to enable them to earn an honest livelihood when discharged. I may also observe that, with respect to the hard labour now in gaols, at present, it is crank, tread-wheel, shot-drill, capstan, and stone breaking.

The hard-labour prisoner will ask you when he is discharged, "Well, what am I to do?" he is told he must go and work; then he will answer, "What am I to work at; I have been in this gaol for two years with hard labour, and I knew as much when I came here as I do now. I was never taught any trade in my lifetime; my father was a drunkard, or through other misfortunes in my childhood I was taught to do nothing but begging, hawking small wares, and so on; I can get no labouring work, and I am bound to go on the old road again; they must catch me if they can (meaning police), and bring me back to prison again." This is soon done, and at the cost of the ratepayers again, with no better prospect. After the second imprisonment is over, this prisoner is turned out again without any trade. Now if this prisoner or prisoners had been taught a trade during his confinement, in the first instance, he could have gone manfully to work, when he was first discharged, to the trade he had been taught, and worked at in the gaol.

As regards habitual drunkards, two things should be in view at one time; one is the reforming of the drunkards' habits, and the other in teaching them some useful trade, to enable them to lead a moral course of life. I must also add that a very large majority of the criminal class are without any trade, or at any rate without having a properly grounded one. Many will say they learnt such a trade, but when you come to try them you will find them very deficient, and this is one cause why there are so many tramps. When masters find they are not good workmen they discharge them; therefore they must go on the road again; this is no doubt one of the greatest causes of the re-committals to gaol: at this period a trade to a man is very valuable.

I beg further to suggest that some large gaol or gaols or other new establishments be established and manned with officers of different trades, and that after a certain number of convictions has been proved for drunkenness, drunk and disorderly, or being drunk when committing any offence whatever, and those convictions proved before the justices in the petty sessions, allowing a fair number, and on those convictions being proved, the justices should have power to send the habitual drunkard to some of the before-mentioned places or establishments, for periods not less than 18 months and not more than five years. And that in all cases the prisoners should be taught trades during their confinement, with religious instructions; that the discipline be similar to that in gaols; not to allow any communication whatever, without officers being present, and to work them in work-rooms, at

Appendix, No. 7. their respective trades, and not in cells in separate confinement ; it would be advisable for them to sleep in separate cells.

I beg to name a few trades which I think would be suitable for such establishments, both male and female.

Males :

Tailoring (with machine).
Blacksmith.
Shoemaker.
Cabinet making.
Weaving.
Turner.
Joiner.
Bricklayer.

Females :

Shirt making (by machines).
Stocking knitting (by hand).
Straw plaiting and straw bonnet making.
Boot closing by sewing machines.
French polishing.

There are many other trades which might be applicable ; I have selected those which I think might be easily learnt, and what I really think would be most likely to prove beneficial to the learners. I shall be glad if anything that I have suggested meets your approbation, and shall be further pleased to answer any question which may arise respecting the habitual drunkard.

I have, &c.
(signed) *W. Smith,*
Governor.

Donald Dalrymple Esq.,
Chairman, Select Committee, Habitual Drunkards.

Appendix, No. 8.

PAPERS handed in by Mr. *Wetherell*.

LEEDS CONSTABULARY.

RETURN of Proceedings before the Justices, against LICENSED VICTUALLERS, from the Brewster Sessions, 26th August 1870 to 20th April 1871.

OFFENCES.	Convicted, and Fined						To pay Costs.	Withdrawn where Two Informations have been laid, and Conviction obtained on One Offence.	Discharged.	TOTAL.
	10 s., and not exceeding 20 s.	1 l., and not exceeding 2 l.	2 l., and not exceeding 3 l.	3 l., and not exceeding 5 l.	5 l.	50 l. and upwards.				
Keeping open during prohibited hours - - - - -	2	2	1	-	-	-	-	5	2	12
Knowingly harbouring persons of notoriously bad character -	-	-	2	-	-	-	-	- - -	- -	2
Unlawfully permitting drunken- ness - - - - -	1	1	1	-	-	-	-	- - -	1	4
Unlawfully permitting gaming -	-	-	-	-	-	-	1	- - -	- -	1
Refusing to admit police - -	-	1	-	-	-	-	-	- - -	- -	1
TOTALS - - -	3	4	4	-	-	-	1	5	3	20

LEEDS CONSTABULARY.

RETURN of Proceedings before the Justices, against LICENSED VICTUALLERS, from the Brewster Sessions, 25th August 1871 to 20th April 1872.

OFFENCES.	Convicted, and Fined						To pay Costs.	Withdrawn where Two Informations have been laid, and Conviction obtained on One Offence.	Discharged.	TOTAL.
	10s., and not exceeding 20 s.	1 l., and not exceeding 2 l.	2 l., and not exceeding 3 l.	3 l., and not exceeding 5 l.	5 l.	50 l. and upwards.				
Keeping open during prohibited hours - - - - -	-	2	-	1	1	-	-	- - -	2	6
Not maintaining good rule and order - - - - -	-	-	-	-	1	-	-	- - -	-	1
Unlawfully permitting drunken- ness - - - - -	-	6	1	1	-	-	-	1	1	10
Adulterating liquors - - -	-	-	-	-	-	1	-	- - -	-	1
Unlawfully permitting gaming -	-	1	1	-	-	-	-	- - -	-	2
Unlawfully permitting dancing -	-	1	-	-	-	-	-	- - -	-	1
Drunk in his own house - -	-	-	1	-	-	-	-	- - -	-	1
TOTALS - - -	-	10	3	2	2	1	-	1	3	22

LEEDS CONSTABULARY.

RETURN of Proceedings before the Justices, against BEERHOUSE KEEPERS, from the Brewster Sessions, 26th August 1871 to 20th April 1872.

OFFENCES.	Convicted, and Fined						To pay Costs.	Withdrawn where Two Informations have been laid, and Conviction obtained on One Offence.	Discharged.	TOTAL.
	10 s., and not exceeding 20 s.	1 l., and not exceeding 2 l.	2 l., and not exceeding 3 l.	3 l., and not exceeding 5 l.	5 l.	50 l. and upwards.				
Keeping open during prohibited hours - - - - -	3	3	1	-	-	-	11	1	1	20
Knowingly harbouring persons of notoriously bad character -	-	1	-	-	-	-	-	-	-	1
Unlawfully permitting drunkenness - - - - -	-	2	2	-	-	-	-	-	-	4
Unlawfully permitting gaming -	-	2	-	-	-	-	2	-	1	5
Refusing to admit the police -	-	1	-	-	-	-	-	-	-	1
Drunk - - - - -	1	-	-	-	-	-	-	-	-	1
TOTALS - - -	4	9	3	-	-	-	13	1	2	32

LEEDS CONSTABULARY.

RETURN of Proceedings before the Justices, against BEERHOUSE KEEPERS, from the Brewster Sessions, 25th August 1871 to 20th April 1872.

OFFENCES.	Convicted, and Fined						To pay Costs.	Withdrawn where Two Informations have been laid, and Conviction obtained on One Offence.	Discharged.	TOTAL.
	10 s., and not exceeding 20 s.	1 l., and not exceeding 2 l.	2 l., and not exceeding 3 l.	3 l., and not exceeding 5 l.	5 l.	50 l. and upwards.				
Keeping open during prohibited hours - - - - -	1	3	1	1	-	-	1	- - -	1	8
Unlawfully permitting drunkenness - - - - -	-	1	3	-	-	-	-	1	-	5
Adulterating liquors - - - - -	-	-	-	-	-	2	-	- - -	-	2
Unlawfully permitting gaming -	-	5	1	-	-	-	-	- - -	1	7
Unlawfully permitting dancing -	-	2	-	-	-	-	-	- - -	-	2
Drunk in his own house - - -	-	1	1	-	-	-	-	- - -	-	2
TOTALS - - -	1	12	6	1	-	2	1	1	2	26

LEEDS CONSTABULARY.

RETURN of DRUNKENNESS, from 2nd day of July 1871 to 20th April 1872, and for the Corresponding Period last Year.

YEAR.	Total Convictions for Drunkenness or for being Drunk and Disorderly.	Number of these which are Second Convictions.	Number of these which are Third Convictions.	Number Discharged.
From 2nd July 1870 to 20th April 1871 -	1,387	217	310	63
From 1st July 1871 to 20th April 1872 -	1,316	177	314	34

James Wetherell,
Chief Constable of Leeds.

Appendix, No. 9.

Handed in by the Chairman.

ANSWERS to Queries relating to Habitual Drunkards.

Appendix, No. 9.

F R A N C E.

ASSEMBLÉE NATIONALE.

1°. EXISTE-t-il dans la loi Française quelque moyen analogue à l'interdiction légale pour garantir la personne ou la propriété de ceux qui, par le résultat de l'ivresse, ont perdu tout contrôle sur eux-mêmes ou sur leur propriété ; et cette interdiction (si elle existe), résulte-t-elle de mesures ayant un caractère public ou privé ?

Aucune mesure n'est prise à raison de l'ivresse ou de l'ivrognerie. Il faut que l'aliénation mentale soit constatée ; il peut arriver qu'elle soit la conséquence de ce vice funeste, mais l'origine importe peu.

2°. Existe-t-il en France quelque institution publique ou privée pour réformer le vice de l'ivrognerie ?

Il n'existe aucune institution publique de ce genre.

Des institutions privées ont été établies, mais sans succès. Les sociétés de tempérance n'ont pas réussi. Ce qui a produit encore le meilleur effet, c'est un certain nombre de dispositions réglementaires, introduites, soit par des sociétés de bienfaisance ou de prévoyance dans leurs statuts, soit par des chefs d'industrie, s'entendant les uns avec les autres, dans leurs ateliers.

3°. Les réglemens de police, donnent-ils au magistrat pouvoir d'infliger une peine aux ivrognes de profession ; et quelle disposition est prise à l'égard de leur famille pendant la réclusion ?

Nulle peine ne peut être infligée aux ivrognes d'habitude ; et, par conséquent, nulle disposition n'a dû être prise à l'égard des familles.

4°. Les ivrognes sont-ils admis et détenus dans la maison de fous ordinaire ?

À titre de fous, quand l'ivrognerie a produit l'aliénation mentale.

5°. Les médecins versés dans la pratique des maladies mentales, regardent-ils l'habitude de l'ivresse comme le résultat d'une maladie cérébrale, ou la maladie cérébrale comme le résultat de l'ivresse ?

Ils sont à peu près unanimes pour regarder l'habitude de l'ivresse comme engendrant infailliblement les maladies cérébrales les plus graves.

6. Considèrent-ils l'habitude de l'ivresse comme une maladie susceptible d'un traitement curatif, ou comme un crime et une offense qui doivent être punis par la loi ?

Comme une maladie susceptible d'un traitement curatif. Ce traitement n'a guères été essayé en France ; c'est l'Amérique qui en fournit les exemples.

N E T H E R L A N D S.

In accordance with the request of his Excellency the Minister of the Netherlands, the Chairman of the Committee of the House of Commons appointed to consider the best plan for the control and management of Habitual Drunkards, has the honour to place on record the points on which the Committee are desirous of obtaining information.

1st. Whether there is any system of interdiction of person or property of those who by reason of drink have lost proper control over themselves and property ; whether the interdiction, if any, be by public or private proceeding.

2nd. Whether any institution, public or private, for the reformation of inebriates exists in Holland.

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3rd. Whether

Appendix, No. 9.

3rd. Whether police regulations place the constant drunkard at once in the hands of the magistrate to be dealt with, and what provision for the family is made during the seclusion of the parent.

4th. Whether inebriates, as such, are admissible and detainable in ordinary lunatic asylums.

5th. Whether the doctors learned in mental medicine regard habitual drunkenness as the outcome of cerebral disease, or the disease as the result of alcohol.

6th. Whether they incline to the treatment of habitual intoxication as a disease, or regard it as a crime or offence to be punished by law.

The replies on these heads will be thankfully accepted by the Committee, and are to be addressed to

House of Commons,
1 March 1872.

Donald Dalrymple,
Chairman of the Committee,
House of Commons.

REPLIES.

1. None.

2. None.

3. In a few towns and some villages, drunkards are fined or imprisoned by police regulation for a couple of days when fighting or disturbing public order; but no provision for their family is made during their seclusion.

4. No.

5. Not less than one-fifth of the patients in our lunatic asylums are reported to be treated for cerebral disease as the result of excessive drinking.

6. Habitual intoxication is not considered a disease; but when crimes are committed in drunkenness the intoxication is considered an aggravation, unless the intoxication be caused by temptation.

There is some prospect of having public intoxication punished by the new code of penal laws as a *delictum sui generis*.

A U S T R I A.

Imperial and Royal Austro-Hungarian Embassy.

THE Austrian Criminal Code, in its 13th chapter of the part second, makes drunkenness penal, as a gross violation of public morals, and punishes it, by § 523, as a light misdemeanour, on a person who, putting himself without a criminal design into a state of intoxication, commits in that state an action which would be imputed to him as a crime, if committed in a state of sobriety. Sect. 524 punishes as an offence inveterate drunkenness of workmen and labourers who work on scaffolds or on roofs, or have to deal with explosive or inflammable articles, or of those servants by whose carelessness fire may easily break out, without an otherwise criminal act being committed by any of those persons.

The police regulations for domestic servants allow the instant dismissal of a servant addicted to drunkenness; while otherwise, a domestic servant is only to be dismissed after the end of his term, or after due notice given beforehand, with a right of indemnity given to the servant against the master dismissing him without observing these two provisions.

The provision which orders the confinement of irrepressible vagrants to the houses of correction, meets only indirectly the case of habitual drunkards, who frequently appear before the law in the quality of vagrants.

Public-houses must have a license, the granting of which is made dependent on the respectability of the intending publican, and on the possibility of police supervision of the place.

An additional police restriction, having the tendency to prevent drunkenness and night revelling, is the enclosed *décret* on the closing hours of public-houses, and other similar establishments.

Belgrave-square, 14 May 1872.

— 62. —

VERORDNUNG der Ministerien des Innern und der Justiz und der obersten Polizeibehörde vom 3 April 1855, wirksam für alle Kronländer, mit Ausnahme der Militärgränze, womit hinsichtlich der Polizeistunde nähere Bestimmungen getroffen werden.

NACHDEM die bisherigen Bestimmungen über die Polizeistunde zu vielfältigen Zweifeln und zu einem ungleichartigen Verfahren Anlaß gegeben haben, so findet das Ministerium des Innern, im Einverständnisse mit dem Justizministerium und der obersten Polizeibehörde, in Folge Allerhöchster Entschliesung vom 4 Mai 1853 zu verordnen, wie folgt:

§ 1.

Zu einer bestimmten Stunde der Nacht müssen Gast- und Schanklocalitäten, sowie Kaffeehäuser, geschlossen werden, und es darf nach dieser Stunde Gästen weder der Zutritt zu denselben, noch das längere Verweilen daselbst gestattet werden.

Dieses Verbot findet jedoch in Einkehrwirthshäusern auf ankommende Reisende und Fuhrleute keine Anwendung.

Der Landeschef hat diese Stunde (Polizeistunde), mit Rücksicht auf die Landes- und Ortsverhältnisse, festzusetzen.

Es steht in dem Ermessen desselben, die Bestimmung hierüber für einzelne Gebietsheile oder Orte den untergeordneten Behörden zu überlassen.

§ 2.

Die Bewilligung zum Offenhalten der Gast- und Schanklocalitäten, sowie der Kaffeehäuser über die Polizeistunde kann aus besonderen Gründen in Orten, wo sich eine landesfürstliche Polizeibehörde befindet, von dieser, und in anderen Orten von dem landesfürstlichen Bezirksamte (Stuhlrichteramte, Districtscommissariate), und in soferne die politische Geschäftsführung an der Stelle der landesfürstlichen Bezirksbehörde einem Communal-Magistrate anvertraut ist, von diesem ertheilt werden.

Eine solche Erlaubnis ist in der Regel bloß von Fall zu Fall für einzelne Nächte und nur bei besonderen Verhältnissen für gewisse bestimmte Zeitabschnitte zu ertheilen.

Für diese Bewilligung ist zu Handen der Gemeindecasse für Armenzwecke eine Taxe zu entrichten, deren Betrag der Landeschef mittelst besonderer Vorschrift festzusetzen hat.

§ 3.

Werden Gast- und Schanklocalitäten oder Kaffeehäuser über die festgesetzte oder nach § 2 erweiterte Polizeistunde offen gehalten, oder werden sie zwar nach dieser Stunde versperrt, wird aber dennoch Gästen der Zutritt dahin oder das längere Verweilen in denselben gestattet, so sind die Inhaber derselben nach der kaiserlichen Verordnung vom 20 April 1854 (Nr. 96 des Reichs-Gesetz-Blattes), und bezüglich des lombardisch-venetianischen Königreiches nach der Verordnung vom 25 April 1854 (Nr. 102 des Reichs-Gesetz-Blattes), zu behandeln.

§ 4.

Die Sicherheitsorgane haben bei wahrgenommenen Uebertretungen dieser Vorschrift zunächst den dafür verantwortlichen Inhaber des Gast-, Schank- oder Kaffeehauses an die Erfüllung seiner Pflicht zu erinnern.

Bleibt diese Erinnerung selbst nach Verlauf einiger Zeit fruchtlos, so sind jene Gäste, welche über die von den Sicherheitsorganen an sie unmittelbar gemachte Aufforderung sich nicht entfernen, hierzu zu verhalten, und unterliegen, in soferne nicht eine durch das allgemeine Strafgesetz verpönte Handlung mitunterläuft, der Behandlung und Ahndung nach den im § 3 bezogenen Verordnungen.

§ 5.

Die Untersuchung und Bestrafung der Uebertretungen der gegenwärtigen Vorschrift steht den im § 2 genannten Behörden zu.

In Betreff des Verfahrens, des Recurses und der Verjährung gelten die Bestimmungen der §§ 3 und 4 der gleichzeitig erlassenen Verordnung vom 3 April 1855, Nr. 61 des Reichs-Gesetz-Blattes.

Freiherr von Bach, m. p.

Freiherr von Krautz, m. p.

Freiherr von Kempen, m. p., F. M. L.

S W E D E N.

(Translated from the Swedish).

(A.) ROYAL DEPARTMENT OF JUSTICE.

1. INTERDICTION, whereby is meant the suspension, for a longer or shorter time, or the deprivation in perpetuity of certain civil rights, is applied in Sweden both by law and usage in many cases to persons who are addicted to drunkenness, although any uniform system cannot be said to be adopted.

The most ordinary cases are—

1. That the drunkard is placed under guardians.
 2. That dissolution of marriage can be applied for and obtained by a wife.
 3. That the person who, through drunkenness and consequent indolence and remissness in work, neglects to maintain his family may be forced to work, and sometimes even, in case of contumacy, may be sent to a house of correction.
 4. That, when drunkenness has brought on bodily or mental disease, or a greater or less degree of insanity, the drunkard is placed, according to circumstances, in a hospital or madhouse, and detained there until the malady be cured, or the danger of a relapse is considered to be essentially removed.
 5. That he who is found to be addicted to drunkenness may, and in most cases legally ought to, be punished by suspension from his office or charge for a certain time, or in some cases by immediate dismissal.
 6. That for drunkenness there exists in the law and separate regulations enacted certain civil punishments, among which, in general, for the first and second offences fines, and for repeated offences imprisonment, or other more severe punishment.
 7. That contracts entered into while in a state of intoxication are not legally binding.
2. No separate institutions for the treatment of drunkards exist now, either public or private, the one established by the late Professor Akerman on the so-called Schreiber's system having been discontinued on the death of the professor.
3. Even the habitual drunkard becomes subject to the direct interference of the authorities only if found drunk in a public roadway or place. First, after having been either condemned to imprisonment for drunkenness or other offence against the laws, or himself or any member of his family become chargeable on the poor rates, and by the administrators of the relief of the poor reported as idle or contumacious, does he in general become an object for the legal treatment of the police authorities.
4. No person can be placed in a lunatic asylum for an occasional fit of drunkenness.
5. The physicians in Sweden consider generally habitual drunkenness and the insanity occasioned thereby as the effect of alcoholic consumption.
6. They are also probably, without exception, agreed in looking upon drunkenness as a vice and a crime which can and ought to be legally proceeded against and punished, without, however, considering it impracticable to employ medical and dietical treatment for its cure in some instances.

(B.) ROYAL DEPARTMENT OF JUSTICE.

(1.)

1. "He who by reason of insanity, habits of squandering, or other causes, is incapable of managing his property, shall be placed under guardians." Law of Inheritance, chap. 19, paragraph 4.

Parents, next of kin, or guardians, are at liberty to demand that their children, relatives, or those who are placed under their guardianship, may for a longer time than the one fixed by the law for the attainment of majority, or for several years, be declared to be incapable of managing their own affairs, and their property placed under the care and management of curators, so long and until conclusive proofs of a prudent management have been given; such application to be granted unless strong reasons against the same can be adduced; the decision to rest with the judge. Parents and guardians ought to show this reasonable care, and are seriously enjoined thereto; in case they neglect their duty in this respect, the officers of the Crown are bound to report the circumstance to the judge. If any one is dissatisfied with the decision he can appeal against it in the usual order.

In order that no one may lend money or enter into other engagements with a person thus incapacitated, through ignorance, the courts of law are ordered, in case anyone who

has

has attained his majority is again placed under guardians, to make the fact known by an announcement in the Official Gazette of the State. Royal Ordinance of 11th May 1774. If a nobleman who has attained his majority be placed under guardians, the court shall communicate information thereof to the Committee of the House of Nobles. Royal Letter, 6th August 1818.

2. Questions respecting dissolution of marriage are in general to be heard and decided by a court of law; but in some instances such dissolution may be sought by application direct to the King.* To such cases belong those when either the husband or wife is given to drunkenness, squandering, or violence of conduct, and when such an incompatibility of temperament and views exist, that during constant occasions for quarrels, it finally leads to abhorrence and hatred. In these cases a petition for His Majesty's gracious sanction to the dissolution may be delivered into the office for judicial revisions, being accompanied with a certificate that the several degrees of warnings have been undergone, in accordance with 14th chap., 1st and 2nd paragraphs, Law of Marriage; 19th chap., 4th paragraph, Law of Inheritance; and the Royal Ordinance against drunkenness, of 16th November 1841, whereupon, after the other married partner has been heard, and the chapter of the diocese, as well as the clergy of the parish, have given their opinion, and the case has been submitted to the consideration (examination) of the High Court of Justice, his Majesty gives his decision in the council. Royal Ordinance of 27th April 1810.

The degrees of warning which, as above stated, are to be gone through, before an application for dissolution of marriage may be made to the King, are the following:—

(a.) First, when report is made to the clergy of the parish, or when, in other ways, it becomes known that hatred and bitterness have arisen between husband and wife, or other lawful cause for dissolution of marriage exist, the married partners are to be warned by the rector of the parish.

(b.) If they nevertheless do not agree they are again to be warned by the clergy.

(c.) If these warnings prove ineffectual, then the court shall decree a separation from bed and board during one year, and shall further, if necessary, prohibit the partners, on penalty of imprisonment, to visit each other during the time.

In separate instances His Majesty has granted dissolution of marriage, 9th June 1837, on the ground that the husband had been placed under guardians for squandering and drunkenness. 28th June 1837, because the husband had been deprived of his living for drunkenness both in the exercise of his clerical office and otherwise. 22nd January 1850, on the husband proving by certificates from clergyman and physician that the wife was incurably addicted to the vice of drunkenness. 6th November 1860, when the wife had sought dissolution after the husband had been convicted for drunkenness, and on several occasions treated in a hospital for the effects of an immoderate use of strong drinks without any reformation in his mode of living; in addition whereto His Majesty has frequently granted the petition of a wife for dissolution of marriage when the husband has been convicted several times for drunkenness.

3. The administration for the relief of the poor is entitled to the same authority as a master over his servants, with respect not only to all persons in receipt of poor relief, but also to husbands whose wife and children, under age, are in receipt of such relief, if the same be not of a temporary nature. If anyone, through idleness or apathy, bring his wife and children into such a state of want that poor relief has to be given them, he shall, even if the relief be temporary, stand under the authority of the administration for the relief of the poor, until the expense occasioned has been repaid. To the same consequences he renders himself liable, whose children are found begging and are sent back by the poor law officers. The above authority of master the administration for the relief of the poor can transfer to others. If an able-bodied person, who stands under such authority and is of age, refuse to perform the work given to him, or be otherwise contumacious, disorderly, or insolent, and do not amend after being warned, the administration may report the case to the authorities, which will generally order the offender to be kept to forced labour for a fixed time. Several such sentences have been confirmed by His Majesty on appeal.

4. As no public institution for the improvement of drunkards exists at present in the country, it is usual, when the necessity arises, to place the drunkard in the institution for the relief of sick persons, which, with regard to his bodily or mental state, may be considered most suitable.

5. "Suspension" is a punishment implying that the clergyman or servant of the Government sentenced thereto, must abstain from the exercise of his office or charge for the time mentioned in the sentence, losing at the same time more or less of his remuneration. He does not, however, cease to be a clergyman or servant of the State, is therefore permitted to wear his dress of office or uniform, and all the civil rights appertaining to his position as servant of the Church or of the State remain intact during the time of suspension, as do also all the privileges depending on his office, to which his wife and children may be entitled in the way of pension, &c.

"Deprivation"

* Whereby is meant the Government translator's remark.

Appendix, No. 9.

"Deprivation" is a punishment bringing with it the loss for ever of the office or employment, with all the advantages accruing therefrom of dignity, remuneration, and civil rights for the person so deprived, his wife, children, or other heirs.

By the law of the Church of Sweden, chap. 19, para. 23, it is enacted that the clergyman who abandons himself to idleness, lewdness, and drunkenness, and associates with bad companions, swears, gambles, or commits similar acts of impropriety, shall for the first offence be suspended from his office or benefice for a certain time, and that he who attends to the duties during the time shall enjoy half the income; but that if he do not amend he shall be deprived of the living entirely. By the Royal Ordinance against drunkenness, of 16 November 1841, sect. 2, this enactment has been made still more stringent, so that clergyman who is found intoxicated while in the exercise of his clerical office shall be for ever deprived of his benefice; but if detected so while not officiating he shall become amenable to the afore-mentioned enactments in chapter 19, paragraph 23, of the law of the church.

If anyone else in the performance of service of the State be found intoxicated he shall be fined the double amount of what is prescribed in general for such an offence. For the third offence he shall also, according to the circumstances, be suspended for a certain number of years, or deprived for ever of his office.

Persons belonging to the military or naval service are subject to the articles of war. Royal Ordinance, 16 November 1841, paragraph 2.

The penal code for the military and naval services, of the 11th June 1868, enacts, in chapter 7, paragraph 14, section 1: "Anyone who, while on duty, or else in campaign, camp, guard-room, or barrack, within a military hospital, or the wharves, workshops, or magazines of the State, on board the vessels of the State, or on road, street, or public place in the locality where garrisoned or stationed, makes elamour or disturbance, or otherwise causes scandal, or is found to be intoxicated with strong drinks, shall be subjected to disciplinary punishments."* In the same chapter and paragraph, section 3, it is enacted as follows: "If a commander of a greater or smaller military force, or of a vessel, or officer or under-officer, who is commanded on guard-outpost or similar duty, is found drunk; or if sentry is found drunk at his post, they shall be punished as for gross neglect of duty, in accordance with the 10th chapter, that is to say, either with (a) imprisonment during a time not exceeding six months, or (b) suspension; or in case the circumstances of the case are particularly aggravating, (c) if the offender be an officer or under officer, dismissal from the service, and (d) if a private, imprisonment for a time up to two years."

"6. If any one imbibe strong drinks in such a quantity that it can be clearly observed from his gestures and confused state of mind that he be intoxicated, and if he be found in such a state on street, road, or other public place, he shall be punished for drunkenness with fines, not exceeding 20 riksdollars." Penal Code, 18 chap. 15 sect.

"If any one disturb public worship by oaths, elamour, or scandalous behaviour, as coming to such worship in a drunken state, he shall be punished with fines of not less than 25 riksdollars, or with imprisonment not exceeding six months." *Ibid.* 11. 2, 3.

The same enactments apply to similar offences committed in the King's palace in the capital, or elsewhere, where the King may be sojourning, in the places where the Diet or its committees may be sitting, in a court of law, or public office, &c. *Ibid.* 11. 6.

Swearing, elamour, or other scandalous conduct at elections, communal, or church meetings, or other public assembly, shall be punished with fines not exceeding 100 riksdollars. *Ibid.* 11. 9. 2.

If similar offence be committed on a public way, street, or market-place, or where a fair or auction be held, it shall be punished with fines up to 100 riksdollars. *Ibid.* 11. 15.

"7. He who betrothes himself while in a state of intoxication, or is induced thereto by deceitful means, shall not be bound to keep his promise." Law of Marriage, 4. 7.

"This rule applies to every transaction of the nature of a contract, for it is not permitted to anyone to procure to himself advantages to another man's injury, consequently neither to avail himself of a state of mind of his fellow man in which he is not cognisant of his actions, nor by false representations induce him to do that by which he must necessarily suffer injury. With respect, on the other hand, to crimes, drunkenness cannot be alleged as an excuse, because it is the duty of every one to abstain from such a vile and shameful state, which in itself constitutes a serious offence, and one can never excuse one crime with another, but must then suffer for both." Lind. Judges' Discretion, &c.

The extension of the enactment of the law respecting "betrothal" to all contracts which may

* Such are in general for officers; 1st degree, arrest without guard, not exceeding 30 days; 2nd degree, arrest under guard, not exceeding 30 days; and 3rd degree, arrest under guard, 31-60 days: for under-officers, 1st degree, arrest without guard, not exceeding 15 days; 2nd degree, arrest under guard, not exceeding 15 days; 3rd degree, arrest with bread-and-water diet, or dark arrest, not exceeding 10 days: and for privates, 1st degree, arrest, under guard, not exceeding 10 days; 2nd degree, arrest with water and bread diet, or dark arrest, not exceeding five days; and, 3rd degree, arrest with water and bread diet, or dark arrest at least six, at the utmost 10, days. It is, however, permitted by the 14th chapter, that for less serious offences or improprieties, such as, among others, addictedness to strong drinks, warnings may be administered by the commander either in private or in the presence of some of the superiors or comrades of the offender, or leave of absence refused; and for privates (a) drill, guard duty, or extra assistances, (b) drudgery-work, (c) limitation in the permission to stay out of the barracks, barrack-room, quarter or camp, and (d) the retention of spirit-rations, or of the allowance of tobacco, money, &c.

may be entered into while in a state of intoxication, laid down in the above extract from the work of the celebrated jurist, is in accordance with the general principle of the interpretation of the law in Sweden. His latter expression, with respect to the accountability of an intoxicated person for crime, is expressly approved by the Legislature, as appears from the 3rd paragraph of the Royal Ordinance of the 16th November 1841, where it is laid down, "If any one commit a crime in a state of drunkenness, wheresoever it may be," thus not only in a public place, "his state shall not serve as an extenuation, but he shall, in addition to his liability of punishment for the crime of drunkenness, be subject to all the penalties (consequences) which are enacted by law, and ordinances in each case; yet so that no fines may be imposed for drunkenness in the case of any one who for another crime has been sentenced to the greatest bodily punishment."

(2.)

The so-called Schreiber's Institution, for the reformation of drunkards, established and managed by Dr. Akerman, on the principle of only supplying the patients with food and drink to a certain extent mixed with spirits, was founded entirely by means of private subscriptions. The number of persons treated in this institution cannot now be ascertained; but it is known that they were not few, both of males and females, and that several remarkable instances of perfect recovery took place. The method requires particular care and great attention to the symptoms of disease occurring during the treatment; and it is stated that in the hands of unskilful and less conscientious people several cases of death have taken place, whereby both the doctors and the public have been deterred from the use of the cure.

(3.)

If at house where corn-brandy or other strong drinks are kept for sale, any one is found to be in such a state of intoxication that he cannot, without evident risk to himself and others be left without assistance, the landlord shall be bound to take care of him till the state of intoxication is passed; and, in case the landlord neglects such, and injury is thereby occasioned, he shall be fined from 10 to 50 riksdollars; and, on repeated negligence on his part, it shall depend upon the consideration of those concerned whether the license shall not be taken away. Royal Ordinance against drunkenness of 16th November 1841, section 5, compared with the Royal Ordinance respecting the conditions for the sale of corn-brandy, of the 18th December 1863, 29th and 47th paragraphs.

"Any one who is found intoxicated with strong drinks on road or street may, when he cannot in other ways be properly taken care of, be placed into jail until he has regained the use of his senses. If he in such public places, or in public-houses, hotels or inns while in a state of drunkenness, makes a clamour or disturbs or insults other persons, he shall inevitably be put into jail; but, on becoming sober, he is to be liberated again unless he have committed an offence, for which he is to be kept in prison according to law." Royal Ordinance, 16 November 1841, section 7.

R E P O R T.

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